AGENDA

1. CALL TO ORDER

2. APPROVAL OF AGENDA

3. INTRODUCTION OF NEW STAFF
   a. Brian Allen, Coordinator, Education Services, Curriculum and Instruction Services, Instructional Services Division
   b. Nafeesah Mustafa, Assistant Principal, Court Schools, Student Services Division

4. PERSONS WISHING TO ADDRESS THE BOARD, DELEGATIONS AND PETITIONS

5. APPROVAL OF MINUTES OF AUGUST 14, 2017, SPECIAL MEETING

6. APPROVAL OF MINUTES OF AUGUST 16, 2017, REGULAR MEETING

7. CONSENT AGENDA

   Board action to approve the following item is taken with one motion to "approve the consent agenda," which is not debatable and which requires a unanimous vote for passage. If any member of the Board, the Superintendent, or any member of the Public so requests, any item shall be removed from this section and placed in the regular order of business. The action indicated is deemed to have been considered in full, and action taken by the Board as worded therein.

   a. Joint Resolution No. 17-35 Honoring Fernando Limaco on His Retirement

8. STRATEGIC PLAN UPDATE

9. INSTRUCTIONAL SERVICES
   a. Ratify Submission of Project: Maker Education Project
10. STUDENT SERVICES
   a. Receive Report on Opening of County Office Student Programs

11. OFFICE OF THE SUPERINTENDENT
   a. Receive Superintendent’s Response to 2016-2017 Civil Grand Jury Reports:
      1. How Have San Mateo County Public Schools Responded to the Epinephrine Auto-Injector Law, Senate Bill (SB) 1266?
      2. Should Tire-Derived Products Be Used on Athletic Fields in San Mateo County Schools?
   b. Update on Board Member Visits to Local Governing Boards
   c. Superintendent's Comments

12. BOARD MEMBERS
   a. Discuss/Act on Legislation
      1. Assembly Joint Resolution (AJT) 7 Internet: Net Neutrality: Access (Assembly Member Mullin)
   b. Discuss/Act on Establishing the Ad Hoc Planning Committee of the 10th Anniversary of Zap the Gap
   c. Discuss Appointment Process for the Board’s Representative to the Personnel Commission
   d. Board Member Comments

13. ADJOURNMENT

   NEXT REGULAR MEETING: THURSDAY, SEPTEMBER 21, 2017

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1. **CALL TO ORDER**

   The September 6, 2017, meeting of the San Mateo County Board of Education will come to order. As is our practice, this meeting will be recorded.

2. **APPROVAL OF AGENDA**

   Is there a motion to approve the agenda?

   Members of the public may provide comments on agendized items, during the discussion of the particular item. If you wish to speak regarding an agenda item, please fill out a speaker card, located on the back table, and hand it to Superintendent Campbell. Superintendent Campbell will inform me when a speaker card has been received. Please note that each speaker is limited to three minutes. Ms. Serpa-Garcia will keep the time and advise you when you have 30 seconds left and again when your time is up. Please try to keep within the time limits.

3. **INTRODUCTION OF NEW STAFF**

   a. Brian Allen, Coordinator, Education Services, Curriculum and Instruction Services, Instructional Services Division

   Deputy Superintendent Dr. Gary Waddell will introduce a new member from the Instructional Services Division. [Presenter: Gary Waddell]

   b. Nafeesah Mustafa, Assistant Principal, Court Schools, Student Services Division

   Associate Superintendent Nancy Magee will introduce a new member from the Student Services Division. [Presenter: Nancy Magee]

4. **PERSONS WISHING TO ADDRESS THE BOARD, DELEGATIONS AND PETITIONS**

   [NOTE: Ask the Superintendent if there are any cards. If so, read the following.]

   The County Board of Education does not act upon any matter that has not been agendized except under limited circumstances as permitted by law. It is the policy of the County Board to refer matters raised in this forum to staff for investigation and/or action where appropriate. Each speaker is limited to three minutes. Ms. Serpa-Garcia will keep the time and advise you when you have 30 seconds left and again when your time is up. Please try to keep within the time limits.
5. **APPROVAL OF MINUTES OF AUGUST 14, 2017, SPECIAL MEETING**

   Is there a motion to approve the minutes of the August 14, 2017, special meeting as presented?

6. **APPROVAL OF MINUTES OF AUGUST 16, 2017, REGULAR MEETING**

   Is there a motion to approve the minutes of the August 16, 2017, regular meeting as presented?

7. **CONSENT AGENDA**

   The Consent Agenda is not debatable and requires a unanimous vote for passage. Is there a motion to approve the Consent Agenda?

   a. Joint Resolution No. 17-35 Honoring Fernando Limaco on His Retirement

8. **STRATEGIC PLAN UPDATE**

   Superintendent Campbell will provide an update on the August 16, 2017, All-Hands BBQ and Strategic Planning event.

9. **INSTRUCTIONAL SERVICES**

   a. **Ratify Submission of Project: Maker Education Project**

       Deputy Superintendent Dr. Gary Waddell will provide information on a project brought forward for Board consideration. [**Presenter: Gary Waddell**]

10. **STUDENT SERVICES**

   a. **Receive Report on Opening of County Office Student Programs**

       Associate Superintendent Nancy Magee will provide a report on the opening of County Office Programs. [**Presenter: Nancy Magee**]


       Associate Superintendent Nancy Magee will provide information on a resolution brought forward for Board consideration.

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- Persons with disabilities who require auxiliary aids or services will be provided such aids with a three-day notice. For further information call (650) 802-5690, TDD (650) 802-5480.
- Anyone wishing to review materials related to Agenda items may view them online at www.smcoe.org/agendas or in the Superintendent’s Office (802-5552).
11. **OFFICE OF THE SUPERINTENDENT**
   
a. **Receive Superintendent’s Response to 2016-2017 Civil Grand Jury Reports:**

   *Superintendent Campbell will report on her responses to recent Civil Grand Jury Reports.*  
   *[Presenter: Superintendent Campbell]*

   1. **How Have San Mateo County Public Schools Responded to the Epinephrine Auto-Injector Law, Senate Bill (SB) 1266?**
   2. **Should Tire-Derived Products Be Used on Athletic Fields in San Mateo County Schools?**

   b. **Update on Board Member Visits to Local Governing Boards**

   *Superintendent Campbell will provide an update on Board Member visits to the local Governing Boards.*  
   *[Presenter: Superintendent Campbell]*

   c. **Superintendent's Comments**

   *The Superintendent will make comments.*

12. **BOARD MEMBERS**
   
a. **Discuss/Act on Legislation**

   1. **Assembly Joint Resolution (AJT) 7 Internet: Net Neutrality: Access (Assembly Member Mullin)**

   *Superintendent Campbell will provide information on an Assembly Joint Resolution AJT7 Internet: Net Neutrality: Access.*

   b. **Discuss/Act on Establishing the Ad Hoc Planning Committee of the 10th Anniversary of Zap the Gap**

   *A Planning Committee for the 10th Anniversary of Zap the Gap will begin its work in the near future. The Board may choose to participate in the planning and establish an Ad Hoc Committee as well as choose three members who will participate in the planning of this event.*

   *[After any discussion] Is there a motion for the Board to participate in the planning of the 10th Anniversary of Zap the Gap and establish an Ad Hoc Committee?*

   *[After any discussion and if the Board wants to participate] Do I have three volunteers for this Ad Hoc Committee?*

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- Persons with disabilities who require auxiliary aids or services will be provided such aids with a three-day notice. For further information call (650) 802-5690, TDD (650) 802-5480.
- Anyone wishing to review materials related to Agenda items may view them online at www.smcoe.org/agendas or in the Superintendent’s Office (802-5552).
c. Discuss Appointment Process for the Board’s Representative to the Personnel Commission

In preparation for appointment of the Board’s Representative to the Personnel Commission we are providing information for the Board’s review. The Appointment Procedures have been provided in your Board Packet.

In accordance with Education Code 45246, on or around September 30, 2017, the Board of Education must publicly announce the name of the person it intends to appoint or reappoint. After 30 and within 45 days of the public announcement of its candidate, the Board of Education in an open hearing shall provide the public, employees, and the employee organizations the opportunity to express their views on the qualifications of the person recommended by the Board for appointment. The Board may make its appointment or make a substitute appointment or recommendation without further notification or public hearing.

Superintendent Campbell and Administrator, Personnel Commission Services, Franklin Felizardo, are available to answer any questions the Board may have.

d. Board Member Comments

Board members will comment.

13. ADJOURNMENT

The next Regular Meeting will take place on September 21, 2017.

NEXT REGULAR MEETING: SEPTEMBER 21, 2017

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- Persons with disabilities who require auxiliary aids or services will be provided such aids with a three-day notice. For further information call (650) 802-5690, TDD (650) 802-5480.
- Anyone wishing to review materials related to Agenda items may view them on line at www.smcoe.org/agendas or in the Superintendent’s Office (802-5552).
1. CALL TO ORDER

Board President Joe Ross called the meeting to order at 7:00 p.m.

2. APPROVAL OF AGENDA

After a motion by Ms. Gerard and a second by Ms. Alvaro, the Board unanimously (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross) approved the August 14, 2017, agenda as presented.

3. PERSONS WISHING TO ADDRESS THE BOARD, DELEGATIONS AND PETITIONS

There were no persons wishing to address the Board.

4. CLOSED SESSION

a. The Board will move to closed session to hear an Interdistrict Attendance Appeal (ITA-17-3) filed on behalf of a student currently residing in the Hayward Unified School District, County of Alameda, but requesting to attend school in the San Mateo Union High School District, County of San Mateo
At 7:01 p.m., Board President Ross announced the meeting would move into closed session to hear Interdistrict Attendance Appeal ITA-17-3 filed on behalf of a student currently residing in the Hayward Unified School District, County of Alameda, but requesting to attend school in the San Mateo Union High School District, County of San Mateo.

5. **OPEN SESSION: REPORT ON CLOSED SESSION**

   a. **Report on Action Taken in Closed Session on Interdistrict Attendance Appeal (ITA-17-3)**

   The Board reconvened in open session at 7:52 p.m. Mr. Ross announced the following action was taken in closed session.

   After a motion by Ms. Alvaro and a second by Mr. Lempert, Interdistrict Attendance Appeal: ITA-17-3 was denied by a vote of five in favor (Alvaro, Camacho, Cannon, Hsiao and Lempert), and two opposed (Gerard, Ross), due to a lack of sufficiently compelling evidence of any factor listed in the Interdistrict Attendance Appeal Handbook.

6. **CLOSED SESSION**

   a. **The Board will move to closed session to hear an Interdistrict Attendance Appeal (ITA-17-4a) filed on behalf of a student (sibling of ITA-17-4b) currently residing in the Redwood City School District, but requesting to attend school in the Menlo Park City School District**

   b. **The Board will move to closed session to hear an Interdistrict Attendance Appeal (ITA-17-4b) filed on behalf of a student (sibling of ITA-17-4a) currently residing in the Redwood City School District, but requesting to attend school in the Menlo Park City School District**

   At 7:58 p.m., Board President Ross announced the meeting would move into closed session to hear Interdistrict Attendance Appeal ITA-17-4a and Interdistrict Attendance Appeal ITA-174b, filed on behalf of two siblings currently residing in the Redwood City School District but requesting to attend school in the Menlo Park City School District.
7. **OPEN SESSION: REPORT ON CLOSED SESSION**

The Board reconvened in open session at 9:07 p.m. Mr. Ross announced the following action was taken in closed session:

a. **Report on Action Taken in Closed Session on Interdistrict Attendance Appeal (ITA-17-4a)**

After a motion by Mr. Hsiao and a second by Ms. Gerard, Interdistrict Attendance Appeal: ITA-17-4a was approved, (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross), for a period of one (1) year due to other exceptional or extraordinary circumstances, which would weigh heavily in favor of the pupil.

b. **Report on Action Taken in Closed Session on Interdistrict Attendance Appeal (ITA-17-4b)**

After a motion by Mr. Hsiao and a second by Ms. Gerard, Interdistrict Attendance Appeal: ITA-17-4b was approved, (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross), for a period of one (1) year due to other exceptional or extraordinary circumstances, which would weigh heavily in favor of the pupil.

8. **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 9:08 p.m.

Anne E. Campbell, Secretary
msg
MINUTES OF THE SAN MATEO COUNTY BOARD OF EDUCATION

Meeting Date: August 16, 2017
Meeting Location: California Suite
101 Twin Dolphin Drive
Redwood City, California
Board Members Present: Susan Alvaro, Hector Camacho, Jr.,
Jim Cannon, Beverly Gerard,
Rod Hsiao, Ted Lempert, Joe Ross
Staff Officials Present: Anne E. Campbell, Secretary
Marcia Serpa-Garcia, Executive Assistant
Other Staff Present: Karen Breslow, Mary Browning,
Andrea Burnett, Marco Chavez,
Natasha King, Patricia Love,
Nancy Magee, Lori Musso,
Denise Porterfield, Gary Waddell,
Andra Yeghoian, Tammy Zigler

1. CALL TO ORDER

Board President Joe Ross called the meeting to order at 7:02 p.m.

2. APPROVAL OF AGENDA

After a motion by Ms. Gerard and a second by Mr. Hsiao, the Board unanimously (Alvaro,
Camacho, Cannon, Gerard, Hsiao, Lempert and Ross) approved the August 16, 2017, agenda as
presented.

Board President Ross announced members of the public could provide comments on agendized
items, during the discussion of the particular item. He said if a member of the public wished to
speak regarding an agenda item, they should fill out a speaker card and hand it to
Superintendent Campbell. Superintendent Campbell would inform the Board President when a
speaker card had been received for a particular item.
3. **EMPLOYEE OF THE MONTH**

a. **July 2017 Employee of the Month, Natasha Dinis, Administrative Assistant III, Student Services Division**

Board President Ross recognized the July 2017 Employee of the Month, Natasha Dinis, Administrative Assistant III, Student Services Division. Mr. Ross congratulated Ms. Dinis on behalf of the Board and presented her with a clock and a check.

b. **August 2017 Employee of the Month, Edna Letran, Senior Executive Assistant, Instructional Services Division**

Board President Ross recognized the August 2017 Employee of the Month, Edna Letran, Senior Executive Assistant, Instructional Services Division. Mr. Ross congratulated Ms. Letran on behalf of the Board and presented her with a clock and a check.

4. **INTRODUCTION OF NEW STAFF**

a. **Patricia Ann Love, Administrator, Strategy and Communications, Office of the Superintendent**

Superintendent Campbell said she was pleased to introduce Patricia Love, Administrator, Strategy and Communications, Office of the Superintendent. She said Ms. Love brings a wealth of experience to this new role noting several of her most recent engagements as a Communications Consultant to educational organizations, teaching public administration at Notre Dame de Namur University and creating and serving as the first Director of Economic Development for the City of Burlingame.

Ms. Campbell said when Ms. Love applied for this position she wrote an amazing letter listing major things she would like to work on: develop and oversee the implementation of an organization-wide strategic communications plan; build relationships that will support and promote public education and the County Office of Education; and serve as the County Office’s Chief Spokesperson. Superintendent Campbell commented this new position is a result of the Strategic Plan and its emphasis on the importance of an outreach strategy in the community with a focus on the San Mateo County Office of Education’s role and advocacy for public education. Ms. Campbell then asked Ms. Love to say a few words.

Ms. Love said she was pleased to join the San Mateo County Office of Education (SMCOE) commenting she has a great deal of respect for the Board, the Superintendent and SMCOE staff. She noted her official start date is September 1, 2017. Ms. Love reported she has many years of experience working with and in government and educational organizations to promote civic engagement and community development, and to enhance and expand communications and outreach. Ms. Love said she has often had an opportunity to create new positions and looks forward to having that opportunity at SMCOE. She looks forward to creating a communications team that is both responsive and proactive.
INTRODUCTION OF NEW STAFF (continued)

Ms. Love said she has lived and worked in San Mateo County for many years and is pleased to have a position like this one so near to her home town.

Ms. Love commented SMCOE is doing important work in several areas, but stated many people in the County remain unaware of the breadth and depth of the work being done. She said similarly we live in a county of great wealth, yet many remain unaware of the struggle so many San Mateo County students face, which might keep them from achieving their goals. Ms. Love said she hopes in this new role she can shine a light on SMCOE’s work and many of the critical education issues it faces. She said she looks forward to getting to know the Board and working with them to create Excellence and Equity in Education in San Mateo County.

b. Andrea Burnett, Project Specialist, Early Learning Quality Improvement, Early Learning Support Services, Instructional Services Division

Deputy Superintendent Dr. Gary Waddell said he was pleased to introduce Andrea Burnett, Project Specialist, Early Learning Support Services, Instructional Services Division. He said Ms. Burnett had been working at SMCOE for about 14 months and unfortunately since there was so much growth in the Early Learning Support Services team, had not been introduced to the Board. Dr. Waddell explained Ms. Burnett came to SMCOE from the City of Oakland’s Head Start Program where she was a Teacher, Site Director, Manager, and Compliance Coordinator. He said she is also a Master Trainer for WestEd on the Desired Results Developmental Profile and said she holds a Master of Science Degree with an emphasis on Early Childhood Education from California State University East Bay. Dr. Waddell said since her arrival Ms. Burnett has been the lead in coordinating the Early Learning Quality Coaching Collaborative that serves the preschool teaching staff across the County with an emphasis on the Big Lift. Dr. Waddell then asked Ms. Burnett to say a few words.

Ms. Burnett said she has been working with the Early Learning and Quality Improvement Initiatives since she began working at SMCOE. She said she coordinates, coaches, and provides training and technical assistance for early learning professionals who participate in the Quality Rating and Improvement System as well as The Big Lift and First 5 Impact. Ms. Burnett commented to increase the implementation and sustainability of the Quality Improvement efforts she is currently working on aligning training, technical assistance, and coaching with the needs and the outcomes of San Mateo County.

Ms. Burnett said she has an extensive background with Head Start Early Learning programs as well as private and public programs working with students and families. She said she is certified in five of the seven elements of the Quality Improvement Initiative.

Ms. Burnett said she has two children. She thanked the Board for the opportunity to work and grow in a vibrant environment as well as having an opportunity to give to a community that is looking for initiatives to improve its work with children. Ms. Burnett thanked the Board for the work it does and said she looks forward to continued work together.
INTRODUCTION OF NEW STAFF (continued)

c. Andra Yeghoian, Coordinator, STEM Center, Instructional Services Division

Deputy Superintendent Dr. Gary Waddell said he was pleased to introduce Andra Yeghoian, Coordinator, STEM Center, Instructional Services Division. He said SM COE has worked and planned for an Environmental Education and Literacy Initiative for a long time. After using design thinking methodology and analyzing data from different workgroups, information has now emerged into a skeleton of an environmental education initiative that is now ready to launch. Dr. Waddell said they needed the right person to breathe life into those sails and have found that person in Andra Yeghoian.

Dr. Waddell said Ms. Yeghoian previously worked at Bishop O’Dowd Catholic High School where she was the Director of Sustainability. He said under her direction the school received the U.S. Department of Education Green Ribbon School Award, and the California Green Ribbon School Award. Dr. Waddell said Ms. Yeghoian developed and executed a range of sustainability initiatives that were woven throughout all areas of the campus and the larger community. He said Ms. Yeghoian has done innovative work and has strong connections within the larger Bay Area Environmental Education Sustainability community.

Dr. Waddell said Ms. Yeghoian has degrees in International Relations, Teaching and Administrative Credentials and a Master of Business Administration with an emphasis on Sustainable Management and Systems Thinking. He noted Ms. Yeghoian has taught Advanced Placement (AP) U.S. History, Humanities, Earth Science, and English Language Arts. Dr. Waddell said this is a new role for SMCOE and said when staff began talking about this role consensus was to have a bold initiative that would make a difference countywide. He then asked Ms. Yeghoian to say a few words.

Ms. Yeghoian said she is excited to bring to SMCOE her experience and education in all the diverse settings she had worked in: teaching abroad, teaching in public school, private school, parochial school as well as teaching education for sustainability. She said she looks forward to sharing more when she gives a report on Environmental Literacy to the Board later in the evening.

d. Tammy Zigler, Principal, Early Childhood Education/Related Services (ECE/RS), Student Services Division

Associate Superintendent Nancy Magee said she was pleased to introduce Tammy Zigler, Principal, Early Childhood Education/Related Services (ECE/RS), Student Services Division. She commented as a result of staffing moves, the Principal of Early Childhood Education/Related Services (ECE/RS) opened up and Tammy Zigler was hired to fill this position. Ms. Magee said Ms. Zigler has worked in education for 35 years starting out as a Special Education Preschool Teacher. She also worked for 17 years in the Palo Alto Unified School District beginning as a coordinator of their preschool program and later becoming the District Coordinator of Student Services. Ms. Zigler then joined the Santa Clara County Office of Education where she served as a Site Principal in its Special Education Program. Ms. Magee
 Board of Education Meeting  
August 16, 2017

INTRODUCTION OF NEW STAFF (continued)

then asked Ms. Zigler to say a few words.

Ms. Zigler said she was excited to join the SMCOE team. She said she has spent her entire career in Special Education and is thrilled to return to a preschool program that is focusing on inclusive services for all students. Ms. Zigler said she looks forward to her work as well as working on the Vision and Mission of making the ECE/RS Program an inclusive model preschool program that will extend to the San Mateo County School Districts.

5. PERSONS WISHING TO ADDRESS THE BOARD, DELEGATIONS AND PETITIONS

There were no persons wishing to address the Board.

6. APPROVAL OF MINUTES OF JULY 19, 2017, REGULAR MEETING

After a motion by Ms. Gerard and a second by Ms. Alvaro, the Board unanimously (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross), approved the Minutes of the July 19, 2017, Regular Meeting as presented.

7. CONSENT AGENDA

   a. Receive Staffing Reports
   b. Adopt Joint Resolution No. 17-33 Endorsing September 2017 as Charcot-Marie-Tooth (CMT) Awareness Month
   c. Authorization of Duties and Responsibilities for One (1) New Classified Position
   d. Authorization of Duties and Responsibilities for One (1) New Classified Manager Position
   e. Declaration of Surplus Property: Equipment, Furniture, and Supplies

After a motion by Ms. Alvaro and a second by Mr. Hsiao, the Board unanimously (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross), approved the Consent Agenda.
8. **INSTRUCTIONAL SERVICES**


Deputy Superintendent Dr. Gary Waddell said he was pleased to present a project titled “Comprehensive Evaluation of The Big Lift – Partnership RAND and SMCOE.” He said the RAND Corporation intends to submit a $4.5 million Federal Institute of Sciences Grant Application in order to conduct a developmental, descriptive and impact evaluation of the four pillars of The Big Lift. He said SMCOE will be a sub-grantee, which is proposed at $1,778,940. Dr. Waddell said RAND will move the grant application forward and advise SMCOE in about one year’s time if it has been awarded for a five-year period. The seven school districts participating in The Big Lift will each receive a $20,000 mini-grant each year of the grant period to continue to collect data to deepen and extend the time period for evaluation looking at all four pillars of The Big Lift. Dr. Waddell said the loss of the Social Innovation Funds for The Big Lift presented a need to scale back the evaluation work and this grant presents an opportunity to deepen, expand and make up some of the lost funds.

After a motion by Mr. Hsiao and a second by Ms. Gerard, the Board unanimously (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross), ratified submission of the project: Comprehensive Evaluation of The Big Lift – Partnership RAND and SMCOE.

b. **Receive Report on Environmental Literacy**

Deputy Superintendent Dr. Gary Waddell said he is excited about the Environmental Literacy work, commenting much of the work is continuing, but every once in a while, there’s a new direction or opportunity. He reminded the Board about the Design-Thinking process SMCOE staff went through with this work, which gave them nine guide posts as to what an Environmental Education Program should look like. Dr. Waddell said those strategies created a framework and noted Andra Yeghoian has breathed life into that framework. He said he is excited to see where this work is headed and its potential to impact the students in San Mateo County. He then invited Ms. Yeghoian to present her report.

Ms. Yeghoian said she was excited to provide the Board with information on her Environmental Literacy efforts. Ms. Yeghoian provided an overview of the global imperative for environmental sustainability, which she described as the intersection between environment, society and the economy. She said this is sometimes referred to as the three pillars of sustainability; meaning a healthy planet is at the core of all the work of sustainability. Ms. Yeghoian said throughout the years for indigenous societies the call to action has been understood by those societies so they have lived a sustainable lifestyle. However, the more recent agrarian and industrial societies have moved far away from living a sustainable lifestyle. During the past decade society has started to see a global call to action that all humans need to take part in and said educators are in an amazing position to pass down the culture of our civilization to each generation preparing them to live a sustainable lifestyle.
Ms. Yeghoian explained California is well-positioned to take the lead, since in the 1970s it has placed Environmental Education into its Education Code and has taken a lot of action since then. She said now 89% of Californians think Environmental Education should be in schools. Ms. Yeghoian presented the story of how Environmental Education developed at SM COE, beginning in 1968 when the Outdoor Education program was founded in San Mateo County and continuing through to 2017 with its Environmental Education Framework.

Ms. Yeghoian defined Environmental Literacy using the definition from the California Blueprint for Environmental Literacy, which states “an environmentally literate person has the capacity to act individually and collectively with others to support ecologically sound and economically prosperous and equitable communities.” She said this means students need access to life experiences and educational opportunities that are both indoors and outdoors to have a deep sense of the knowledge, skills and understanding of the environmental principles to analyze issues and make informed decisions. Ms. Yeghoian said this is a call to action for equity as well, since a sustainable future requires everyone’s understanding and efforts. She said the most marginalized communities and populations are the most vulnerable to the negative effects of climate change and pollution, therefore this also becomes a social justice issue.

Ms. Yeghoian said the vision of SMCOE’s approach at the County level is aligned with the Blueprint for Environmental Literacy and also brings forward SMCOE’s goal of Excellence and Equity. She explained the 4Cs Whole School Sustainability Approach as:

- **Campus –Facilities**
  - Reduce ecological footprint to zero impact
  - Utilize the campus as a laboratory for learning and a model for sustainability

- **Curriculum**
  - Address current environmental challenges and prevent new ones
  - Examine the intersection between environment, society and economics
  - Utilize active pedagogy strategies
  - Involve solutions oriented assessments
  - Integrate outdoor learning on site, in local parks/facilities and destination immersions
  - Align with college and career pathways

- **Community**
  - Internal – engaged action-based community that walks the talk of sustainability in all events and programming
  - External – Develop strategic and mutually beneficial partnerships with formal and non-formal entities that build environmental literacy and contribute to a sustainable paradigm shift locally and globally

- **Institutional Culture**
  - Provide:
    - Support
    - Consistency
    - Connection
INSTRUCTIONAL SERVICES (continued)

Ms. Yeghoian said current actions for Environmental Literacy include:
- Needs and Assets:
  - External Community has many excited partners, providers and potential funders
  - Districts and Schools – vetting best practices through surveys and administrative councils
  - Potential Collaboration at SMCOE

Ms. Yeghoian reported over the past few years SMCOE’s Environmental Learning Collaborative (SMELC) has set the tone for how professional development should be done in terms of the way it is set up:
- Teachers learning and collaborating – bringing together teachers from all districts to attend a three-day institute to develop units grounded in Environmental Literacy and Environmental Stewardship where students learn and are engaged in community action projects
  - Support teachers over the semester
  - Reconvene after the semester to share best practices
  - Pilot Environmental Literacy Advisory Group – invite multiple perspectives on how to best be focused, strategic and scalable

Ms. Yeghoian then answered questions from the Board.

9. STUDENT SERVICES

a. Receive Report on Inclusive Services, in San Mateo County Office of Education’s Special Education

Associate Superintendent Nancy Magee said for the past two years the Student Services team has been learning and grounding themselves regarding how the Special Education program is operating. She said as the team looked at the ways in which services are provided they have noticed a counter intuitive reaction with students who are taken out of their home districts to attend school somewhere else. Ms. Magee said staff believes inclusion is important for these students and are working to make inclusion for most students a reality. Ms. Magee said Dr. Mary Browning, Coordinator of Inclusive Services, Student Services Division, will work as a Principal on Special Assignment of Inclusive Services, and asked her to present the vision of the services that will be offered beginning at SMCOE’s Early Childhood Education (ECE) Center in San Mateo.

Dr. Browning thanked the Board for the opportunity to step into the leadership role to expand the vision of Excellence and Equity into some of the youngest and most at-risk learners in San Mateo County. She explained those services would engage special education students with typically developing peers using age appropriate and engaging curriculum, giving them access to local communities, and increasing their independence.
STUDENT SERVICES (continued)

Dr. Browning provided the Board with a historical view of SMCOE’s ECE Program, which includes two separate programs:

- **Early Start**
  - Early Intervention services provided to 40-50 children, ages birth to three-years of age
  - Children qualify for solely low incidence services (Deaf/Hard of Hearing; Vision Impairment; Orthopedic Impairment)
  - Stable enrollment- most referrals are generated through newborn hearing screening
  - Prior to 2015, services were delivered primarily at 65 Tower Road, in a segregated setting
  - Since 2015, the program has made gradual shifts towards “natural environment”

- **Preschool**
  - **SMCOE Preschool**
    - Provides special education services to 15-20 children annually
    - Children are identified with Multiple Disabilities or as “Deaf/Hard of Hearing”
    - Declining Enrollment – local districts are increasingly serving students in district-operated special education programs
  - **Sister Agency Preschools**
    - Institute for Human and Social Development (IHSD) Head Start (18-20 children)
    - Early Head Start (16 children)
    - Stella Piccolo (fee for service preschool serving 20-30 preschool age children)
    - Efforts to integrate SMCOE students with typically developing peers have had limited success

Dr. Browning said the ECE Vision for all agencies aligns with SMCOE’s Strategic Plan for Excellence and Equity. This shared vision and guiding principles adopted by all early childhood providers operating at ECE, has an emphasis on: maximizing opportunities for students with diverse learning strengths and needs, socioeconomic backgrounds, ethnicities, and home languages to learn from each other and develop authentic friendships. The ECE Vision will offer a program that will provide opportunities for all students to have access to developmentally appropriate instructional strategies, learning environments and materials, and a common curriculum, aligned with the Preschool Learning Foundations and the Quality Rating Improvement System.

Dr. Browning commented the ECE Vision includes opportunities for staff for all agencies to engage in common professional development and the time to collaborate with a single focus on student success. She said recently SMCOE and IHSD met to look at creative curriculum together. Dr. Browning said they also want to provide family members from all agencies with opportunities to learn how to enhance their child’s development.
STUDENT SERVICES (continued)

Dr. Browning talked about next steps including:

- Partner with Sister Agencies to develop shared vision statement
- Partner with Licensing to identify and address barriers to implementation
- Deepen relationships with existing partners
- Explore opportunities with potential new partners
- Explore adoption of common curriculum
- Schedule opportunities for staff collaboration and training across agencies
- Identify and commit to outcomes (student and program outcomes) for 2017-2018
- Share vision, challenges and successes with the County Board of Education

Dr. Browning said the Goal for Inclusive Services includes implementing changes in a fiscally responsible way, as well as integrating students with Individualized Education Programs (IEPs) with typically developing peers. She said this would work best with a natural occurrence ratio of students with typically developing peers at around 90% and 10% of students with IEPs. Dr. Browning explained SMCOE will generate income for its SMCOE/ECE classes by bringing students in from the districts. She recognizes there needs to be a balance in order to be fiscally sustainable while implementing the quality inclusive vision.

Dr. Browning said SMCOE will measure success by the extent to which the Vision is achieved, and by the extent to which SMCOE/ECE can support local school districts to replicate the SMCOE Lab School model.

Dr. Browning then answered questions from the Board.

Board Vice President Alvaro commended Dr. Browning for her inspiration and care of the children she serves and said she is grateful she is starting this new program.

10. OFFICE OF THE SUPERINTENDENT

a. Receive Report on Special Education Local Plan Area (SELPA)

Superintendent Campbell said she was pleased to introduce Anjanette Pelletier, Senior Administrator, Special Education Local Plan Area (SELPA), who would provide an update on the accomplishments of the SELPA during the 2016-2017 School Year, provide a look at 2017-2018, and address some of the current challenges. Ms. Campbell said SMCOE is blessed to have Ms. Pelletier serve in this role because she is incredibly knowledgeable in the realm of Special Education and very supportive to the districts in San Mateo County. Ms. Campbell said Ms. Pelletier has focused and moved forward an Alternative Dispute Resolution process in San Mateo County. Ms. Pelletier is also establishing an identity both at the state and national levels as a passionate and well-connected advocate for funding and support for students with special needs. She then introduced Ms. Pelletier.
Ms. Pelletier thanked Superintendent Campbell for her introduction, and then introduced Natasha King, Program Coordinator, Mental and Behavioral Health, SELPA, and Karen Breslow, Program Coordinator, SELPA, who would assist with the presentation.

Ms. Pelletier thanked the Board for the opportunity to present the SELPA’s annual report. She said this year she and her team have visited the local school boards to talk about support services and connections. She acknowledged the rest of her team including: Dr. Ben Loewy, Program Coordinator, and the support staff Administrative Assistants Lillian Flores and Manny Topacio, and Minette Manio with Business Services.

Ms. Pelletier noted the SELPA Governing Board is comprised of Superintendents from representative Boards and said with recent changes there will be two new Superintendents with two-year terms.

Ms. Pelletier reviewed the SELPA core functionality mandated by Education Code including:

- Fiscal oversight and grant implementation
- Service delivery and program evaluation
- Professional development
- Interagency coordination
- Compliance support
- Community and parent interaction

Ms. Pelletier talked about the SELPA Goals for 2017-2018 and key-focus areas based on input from Special Education Directors and Administrators from each Local Education Agency:

- Support Local Education Agencies (LEA) in:
  - Monitoring and implementation of high-quality compliant programs
  - Service delivery
  - Professional development
  - Budget planning and oversight
  - Training to enhance alternative dispute resolution
  - Ongoing alternative dispute resolution support in response to compliance (three cohorts this year- San Mateo County, Alameda County and Placer County)

Ms. Pelletier commented she is pleased with outcomes related to their Alternative Dispute Resolution (ADR) work explaining Ms. Breslow kept track of interventions they had done with districts as well as on behalf of districts. She said the estimation is that SELPA staff helped districts prevent due process costs in the range of about $1M. Ms. Pelletier said staff efforts are working.
Ms. Pelletier discussed the Core SELPA Support including:

- Local agency collaboration and communication
  - Watch Me Grow Collaborative – SMCOE partners with and spends quite a bit of time with clinics, social workers, Regional Center, members from Lucille Packard Foundation, and First 5, to talk about children birth to five who may be at-risk for lack of access, lack of success, failure to thrive, because of medical issues, financial issues, mental health, behavioral health, and educational related issues, to further enhance child find activities across the County

- State Legislative and California Department of Education (CDE) workgroup activities
  - Ms. Pelletier Co-chairs the SELPA Association Legislative Committee sponsoring an All Congress Resolution 115 (ACR 115) about rights of persons with disabilities and their access to technology
  - The SELPA Association Legislative Committee is organizing a Sacramento Legislative visit day to stay connected with local representatives for California
  - The CDE just released its Dyslexia guidelines – Ms. Pelletier was on the planning and workgroup committee – she will help local LEAs implement those recommendations

- Federal legislative, reporting and compliance activities

Ms. Pelletier noted Dr. Ben Loewy runs the Licensed Children's Institutions (LCI) Program, which has experienced a lot of change related to the Continuum of Care Reform Movement in California. She said the Department of Social Services is wanting to move students out of congregate care and group homes and trying to find Foster Family homes or Kinship homes if they need a Foster Family placement. Ms. Pelletier said at its highest Dr. Loewy served 29 children in the group settings and now he serves 12 children. More of them are staying with their families, living in Kinship homes and/or are being placed in Foster Family homes. She said Dr. Loewy is responsible for supporting the needs of those youth who are in group homes and foster care and said she is the designee for the SELPA Association, Continuum of Care Reform (CCR) workgroup, and keeps in close contact regarding the impacts of those program on Foster Youth and children who live in group homes.

Ms. Pelletier then asked Natasha King to talk about the Mental Health supports provided to San Mateo County districts.

Ms. King said Mental Health supports have been an important and vital part of the academic programming. Those supports have been increased for San Mateo County districts and include:

- Monthly meetings
- SELPA support for case consultation related to challenging placements and cases
- SELPA representation at Interagency Placement Review Committee (Dr. Loewy)
- SELPA site visits for non-public schools and residential treatment centers
Ms. King reported tools used for Mental Health Monitoring include:

- OWLS Outcomes – transforming behavioral health through measurement based care software
- HealthMaster – software that allows legally appropriate documentation that also provides confidentially
- Support/train in the following areas:
  - Progress monitoring
  - Data collection
  - Documentation
- Build consistency among programs, continuity of care, and strong communication between providers

Karen Breslow said she would talk about support to families and staff and provide an update on the progress of the Resource Parent Council. She reminded the Board this is a council of specially trained parents that provide informational and emotional support to parents within their own districts. She said past challenges of parents being able to participate at community meetings has changed the venue to a growing online community. Ms. Breslow noted they are continuing Saturday and evening workshops so parents are able to access trainings and said district Board Members are participating in the training as well.

Ms. Breslow commented given the fact there is more litigation for special education in San Mateo County, SELPA staff has been working closely with San Mateo County Counsel’s office to address compliance issues and best practices to help teachers when writing IEPs or holding IEP meetings. She said since clerical errors are common, SELPA staff and County Counsel’s office have been holding trainings in the districts to provide specific guidance to help avoid clerical errors. With intensive focus, training and monitoring of key compliance indicators, San Mateo County SELPA has seen a dramatic decrease in errors and overdue IEPs in the past five years.

Ms. Breslow reported the SELPA staff has been a support to the Special Olympics activities such as: bowling; basketball tournaments; and the Superstars and Super Sports Day events.

Ms. Breslow said SELPA staff has been able to visit community agencies more to talk about available resources and make sure these agencies know the staff is available to provide training.

Ms. Pelletier said they wanted to report on data with a focus on Compliance Monitoring from the Federal Government to State Government and finally at the local level, which shows a significant decline in clerical errors in San Mateo County over the past five years. She said there was also monitoring on the timeline for completing IEPs and making sure that every student who is age 16 has a transition plan. Ms. Pelletier said there is still work to do, but the improvements have been positive and reflect the amount of hard work teachers and program managers in the field are doing.
Ms. Breslow reported this has been a year of study, noting she and Ms. Pelletier went to
Nashville, Tennessee, and studied Appropriate Dispute Resolution (ADR) at the Straus Institute
for Dispute Resolution at Pepperdine University. She said the purpose of the study was to see
how to expand services SMCOE SELPA provides to districts, families and community
agencies. Ms. Breslow said there is now a full continuum of ADR interventions available in
San Mateo County. She said the best solution is always to prevent conflict before it happens,
which means building capacity in staff and families, and helping them learn to advocate in a
positive way when they interact. Ms. Breslow noted when she reported to the Board about
ADR in 2016 she and Ms. Pelletier were facilitating approximately one Dispute Resolution
every other week, she said this year they’ve only facilitated four.

Ms. Pelletier said she looks forward to providing the Board with more data next year and
invited the Board to make requests or provide ideas because their interests reflect what others
would like know about SELPA.

Ms. Pelletier then answered questions from the Board.

b. **Adopt Joint Resolution No. 17-34 Endorsing September 2017 as Attendance Awareness
   Month**

Administrator for Board/Superintendent Support and Community Relations Marco Chávez, said
he was pleased to present Resolution No. 17-34, Endorsing September 2017 as Attendance
Awareness Month. He said in the past SMCOE has successfully messaged the importance of
good attendance at school in San Mateo County and will continue that message in future years.
Mr. Chávez said SMCOE collaborates with districts and schools in a variety of activities to
motivate students and families to attend school regularly. He said SMCOE will provide online
resources for schools to develop campaigns to promote regular attendance, and resources to
acknowledge good attendance such as: bookmarks, certificates, and letter templates that can
be sent home to communicate and commend good attendance.

Mr. Chávez announced this September SMCOE will launch the “In Class Today Attendance
Improvement Strategy” in The Big Lift districts. This strategy will emulate the one used in the
Attendance Matters Harvard Study that resulted in reducing absenteeism in participating San
Mateo County school districts. He said all districts will be encouraged to use the “In Class
Today Attendance Improvement Strategy.”

Mr. Chávez then answered questions from the Board.

After a motion by Mr. Hsiao and a second by Ms. Alvaro, the Board unanimously (Alvaro,
Camacho, Cannon, Gerard, Hsiao, Lempert and Ross), approved Joint Resolution No. 17-34
Endorsing September 2017 as Attendance Awareness Month.
c. Superintendent's Comments

Superintendent Campbell announced she would provide the Board with a report on the Strategic Plan activities that took place earlier in the day at the next Board Meeting.

Ms. Campbell acknowledged and thanked Board Member Cannon for attending and participating in the Strategic Plan event.

Superintendent Campbell acknowledged and thanked Administrator Chávez for organizing the entire event, especially the facilitated small workgroups that employees participated in. Ms. Campbell said it took a great deal of coordination and thanked Cabinet Members who facilitated the work groups and Executive Assistants Ms. Serpa-Garcia, Karen Williams, Edna Letran and Eileen Gavron, for their efforts on the event.

Superintendent Campbell acknowledged and thanked Board Member Camacho who attended a Digital Divide event, that she also attended, sponsored by the Chicana Latina Foundation. She appreciated Mr. Camacho participated on a panel as a school board member and said he believes school board members need to be advocates for closing the digital divide and help people see the urgency for this to happen. Ms. Campbell said her favorite comment of the day was when Mr. Camacho reminded the students their comments, once considered digital footprints, are no long footprints, but rather digital tattoos because they don’t go away.

Superintendent Campbell reminded the Board of the unexpected event that happened in Millbrae to Dr. Gwenn Lei’s son Henry, and said Dr. Lei brought a card to her earlier in the day from Henry thanking the Board for the books they sent to him to read while he was recovering.

Superintendent Campbell provided the Board with reminders for upcoming events:
- September 8-10, 2017 – CCBE Annual Conference in Monterey
- September 18, 2017 – San Mateo County School Boards Association/California School Boards Association (SMCSBA/CSBA) Meeting and Road Show will take place at Skyline College. This will be a joint meeting between SMCSBA, CSBA Region 5 and the San Francisco Unified School District
- September 27, 2017 – 4Cs Annual Award Event, where Maryanne Patterson will receive the Mary Petsche Visionary Leadership Award. The event will take place at the Devil’s Canyon Brewery in San Carlos

Superintendent Campbell wished Board Member Gerard a happy birthday that she celebrated on August 10th.

Superintendent Campbell wished Administrator Patricia Love a happy birthday that she celebrated on August 2nd.

Superintendent Campbell wished Administrator Franklin Felizardo a happy birthday that he celebrated on August 15th.
Superintendent Campbell provided updates on new district superintendents:

- San Carlos – Dr. Baker will join the Cupertino School District – San Carlos is in the process of recruiting
- Jefferson Union High School District named Dr. Terry Ann Deloria as its Superintendent
- San Bruno Park Elementary School District named Dr. Stella Kemp as its Superintendent
- Hillsborough City School District named Louann Carlomango as its Interim Superintendent
- Menlo Park City School District named Erik Burmeister as its Superintendent
- Sequoia Union High School District named Dr. Mary Streshly as its Superintendent

Superintendent Campbell said this year since there are so many new superintendents, coaching will be provided to help them acclimate, provide support, and have the opportunity to share issues of concern. Ms. Campbell said she along with Dr. Wendy Tukloff, who is the new President of the San Mateo County Superintendent’s Association, and Lead Deputy County Counsel Claire Cunningham will lead the sessions for the new superintendents.

Superintendent Campbell requested the Board consider adjourning its meeting in memory of Heather D. Heyer who was killed in Charlottesville, Virginia over the past weekend. She said she hopes as this is done, Ms. Heyer’s death challenges each of us to rise up and exercise our right of freedom of speech and to do so passionately, actively and appropriately, because violence has no place in our public debate. She said if we do so, each one of us will honor Ms. Heyer’s memory and will also insure that freedom of speech remains one of the rights that we hold as Americans.

11. BOARD MEMBERS

a. Discuss/Act on Legislation

Superintendent Campbell commented when she and Board Member Camacho were at the Digital Divide event on Tuesday, August 15, 2017, Assemblymember Kevin Mullin was also in attendance and said he is sponsoring legislation about net neutrality and said she would bring information to the Board at its next meeting.

b. Board Policy Review

1. New and Revised Board Policies – Second Reading and Action
   1. Revised Board Policy: BP 9322 (Conduct of Board Meetings) (Rename BP 9323)

After a motion by Ms. Alvaro, and a second by Ms. Gerard, the Board unanimously approved (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross), Revised Board Policy: BP 9322 (Conduct of Board Meetings) and Renamed this policy to BP 9323.
2. New Board Policy: BP 9323.2 (Actions by the Board)

After a motion by Ms. Alvaro, and a second by Ms. Gerard, the Board unanimously (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross), approved New Board Policy: BP 9323.2 (Actions by the Board).

3. Revised Board Policy BP 9324 (Minutes and Recordings)

After a motion by Ms. Alvaro, and a second by Ms. Gerard, the Board unanimously (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross), approved New Board Policy: BP 9324 (Minutes and Recordings).

c. Discuss and/or Act on Nominations for California School Boards Association (CSBA) Directors-at-Large: Director-at-Large American Indian; Director-at-Large Black; Director-at-Large County

No action was taken on this item.

d. Discuss/Act on Designation of the San Mateo County Board of the Education’s Voting Representative at California County Boards of Education (CCBE) Meetings on September 9 and December 1, 2017

After a motion by Ms. Alvaro and a second by Mr. Hsiao, the Board approved, by a vote of six in favor (Alvaro, Camacho, Cannon, Hsiao, Lempert and Ross), none opposed and one abstention (Gerard), to designate Ms. Beverly Gerard to be the San Mateo County Board of Education’s voting representative at the California County Boards of Education (CCBE) meetings on September 9 and December 1, 2017.

e. Discuss/Act on Dissolution of the 2017 Ad Hoc Achievement Gap Summit Committee

After a motion by Ms. Alvaro, and a second by Ms. Gerard, the Board unanimously (Alvaro, Camacho, Cannon, Gerard, Hsiao, Lempert and Ross) approved dissolution of the 2017 Ad Hoc Achievement Gap Summit Committee.

f. Board Member Comments

Mr. Cannon

Mr. Cannon said he appreciated the Strategic Plan Event earlier in the day. Mr. Cannon said it has been satisfying to be involved in the process over the past two years and to see the Strategic Plan come together.

Mr. Cannon acknowledged and thanked Mr. Chávez for the excellent job he did coordinating the Strategic Plan Event.
Mr. Camacho extended his congratulations to Lori Musso on her new position as Associate Superintendent of Human Resources.

Mr. Camacho welcomed Patricia Love, Administrator, Strategy and Communications, to the County Office.

Mr. Camacho reported he attended the Silicon Valley Leadership Group Education (SVLG) Summit with several members of the SMCOE staff. He attended the introductory Keynote Address given by Jeff Duncan-Andrade, Ph.D., Associate Professor of Raza Studies and Education, Administration and Interdisciplinary Studies San Francisco State University, and the Founder of Roses in Concrete Community School in Oakland. Dr. Duncan-Andrade shared videos of an upcoming documentary of the school that shows how innovative practices can be transformative, especially in communities with the greatest needs, and how critical it is to the development of young people. Mr. Camacho appreciated that Dr. Duncan-Andrade said this is a “Lab School” and has opened doors for community members and other teachers to see and learn.

Mr. Camacho reported he attended a session at the SVLG event on the teacher shortage that talked about recruitment, training and retention, and said the numbers of students enrolled in the teaching profession is very low right now with the highest need for teachers in Special Education. Mr. Camacho said he is excited to see the work that SMCOE will continue to do regarding creating sustainable teacher pipelines.

Mr. Camacho said he was honored to be invited to speak at the Digital Divide Roundtable put on by the Chicana Latina Foundation and sponsored by the California Emerging Technology Fund led by Sunne Wright McPeak, President and Chief Executive Officer. He said on the panel he represented education and was inspired by the comments from Superintendent Campbell as well as Dr. Gloria Hernandez-Goff, Superintendent, Ravenswood City School District, who provided a heart-felt plea for all communities to be included in finding solutions to broadband and internet access. Mr. Camacho reported there was also a thought-provoking presentation from a disability advocate who brought up the irony regarding granting access to persons with disabilities or low-income communities because they have to go online to gain access.

Ms. Alvaro commented on the excellent reports given during the meeting. She thanked Ms. Pelletier for her presentation and noted she hears Ms. Pelletier’s name and comments about how grateful people are for her professionalism and her big heart. Ms. Alvaro said she is proud to say Ms. Pelletier is part of the County Office.
Ms. Alvaro reported she was able to visit The Big Lift Inspiring Summers Program with Superintendent Campbell on July 25, 2017. She said the program is incredible and she enjoyed seeing how engaged the students were even though many people were walking through the classrooms to observe. Ms. Alvaro said at the end of her visit the children had lunch, and during their lunch the Site Principal presented awards for positive behavior to the students who hadn’t received them earlier in the morning, which reinforced positive behavior.

Ms. Gerard

Ms. Gerard commented on the quality of the presentations and said information presented to the Board along with the ability to ask questions, helps the Board answer questions when their constituents ask questions of them.

Ms. Gerard congratulated staff members who were recently promoted as well as the newly hired staff. She said it is nice to see movement and new things happening within the County Office.

Ms. Gerard said she looks forward to seeing her colleagues at the California County Boards of Education (CCBE) Conference in early September.

Ms. Gerard thanked her colleagues for the opportunity to be their voting represent at the CCBE and California School Boards Association (CSBA) General Meetings.

Mr. Lempert

Mr. Lempert echoed his colleagues’ comments about the presentations.

Mr. Lempert agreed with Ms. Alvaro’s comments regarding Ms. Pelletier. He said it’s important for public servants to be able to explain complex issues as well as clearly respond to complex questions.

Mr. Lempert thanked Superintendent Campbell for the appropriate comments she made for the request to adjourn the meeting.

Mr. Hsiao

Mr. Hsiao said all of the presentations made during this meeting were stellar. He said everyone was articulate and knowledgeable and he is proud of the SMCOE staff.

Mr. Hsiao thanked Ms. Alvaro, Mr. Camacho, Superintendent Campbell, Deputy Superintendent’s Waddell and Porterfield for participating in the Outdoor Education Subcommittee meeting prior to the Board Meeting. He said much work has been accomplished in gathering information and the subcommittee will now work on negotiations.
Mr. Ross

Mr. Ross echoed his colleagues’ comments about the reports, great news on programs in Instructional Services and Student Services.

Mr. Ross said he appreciated hearing about how much the SELPA is doing for San Mateo County and thanked Ms. Pelletier for sharing the accomplishments and what the staff continues to work on.

Mr. Ross reported he had an interesting conversation via video conference, earlier in the day, with STEM Center Director Rebecca Vyduna, and an organization called CodeHS that has grade six through twelve complete Advanced Placement (AP) comprehensive curricula for computer science. He said University of California Davis also has an AP Program like this one, but he is glad that there are other resources available to schools to incorporate into their programs. He said he is glad Instructional Services is eagerly engaged in looking at ways to advance that work.

12. ADJOURNMENT

Board President Ross said that he hesitates to address a topic outside the immediate jurisdiction of the Board, because what happens in Washington D.C. is generally of very little import, and sitting on a soap box is really not useful. But there is a point at which it is necessary to speak out, he said. If people in business need to speak out, and people in nonprofits need to speak out, then certainly those of us in public office, who represent 600,000 citizens in this County, also need to speak out on the record about what is happening.

Mr. Ross said we have a President engaging in dishonest, corrupt and treasonous behavior, giving aid and comfort to an adversary to this country, with nary a discouraging word about an authoritarian leader who wants to make Russia evil again. Mr. Ross added that the President has now also demonstrated that he wishes to give aid and comfort to white supremacists, racists, and Nazis. We come from a county that is more than 40% diverse, and a state that is more than 50% non-white, Mr. Ross said, noting that the Board has a commitment to ensuring safe and supportive schools for this population. President Ross stated that whether we are in business, the nonprofit world, or elected office, there’s a point at which we just have to have the courage to call things as they are. Let’s give ourselves permission to take a position, he said, and let’s declare we stand against this President, we stand against what’s happening in Washington, D.C. and we stand for the defense of Civil Rights, Civil Liberties, and the First Amendment. With that, President Ross said that it is entirely appropriate to adjourn in honor of Heather Heyer and in honor of everything she was there for and everything she stood for in Charlottesville, Virginia.

There being no further business to come before the Board, the meeting was adjourned in memory of Heather Heyer at 9:27 p.m.

Anne E. Campbell, Secretary
msg
Joint Resolution No. 17-35
San Mateo County Board of Education
and
San Mateo County Superintendent of Schools
State of California

Honoring Fernando Limaco on His Retirement

Whereas, Fernando Limaco began working in the Elementary K-12 program in September 1999 and subsequently gained longevity status; and

Whereas, Mr. Limaco received training in various areas, including seizure protocols and monitoring, epinephrine (EPI Pen) usage, CPR, medication administration, and positioning and lifting; and

Whereas, Mr. Limaco’s colleagues report that they will miss him as he works well with students and is friendly, kind, respectful, a good listener, and always on time; and

Whereas, Mr. Limaco is good at fixing things and used his talents to engage students and help them solve problems; and

Whereas, Mr. Limaco retired effective July 1, 2017;

Now, Therefore, Be It Resolved that the San Mateo County Board of Education and the San Mateo County Superintendent of Schools congratulate Fernando Limaco on his 18 years of service to the San Mateo County Office of Education and wish him a happy and fulfilling retirement.

SAN MATEO COUNTY SUPERINTENDENT OF SCHOOLS

SAN MATEO COUNTY BOARD OF EDUCATION

Passed and Adopted on this
Sixth day of September 2017

President
August 30, 2017

To: San Mateo County Board of Education

From: Anne E. Campbell, County Superintendent of Schools

Subject: Update on the San Mateo County Office of Education’s Strategic Plan

At the September 6, 2017, Board Meeting I will provide the Board with an update of the recent San Mateo County Office’s All-Hands Barbeque and Strategic Plan activities that took place on August 16, 2017, and answer any questions the Board may have.

Forward to the Board:

Anne E. Campbell, County Superintendent of Schools
August 30, 2017

To: Anne E. Campbell, County Superintendent of Schools

From: Dr. Gary Waddell, Deputy Superintendent
Instructional Services Division

Subject: Maker Education Project

Board action is requested ratifying the submission of a $100,000 grant proposal to the Oracle Impact Grant.

The Maker Education project will support the STEM Center to accelerate the growth of maker-centered learning for students and educators throughout San Mateo County.

I will be present at the September 6th Board meeting to answer any questions the Board may have.

Approved and Recommended to the Board:

Anne E. Campbell, County Superintendent of Schools
**PROJECT TITLE:** Maker Education Project

**Source of Funding:** Oracle Impact Grant

**Amount of Funding Requested:** $100,000.00

**Matching Funds Required:** $0.00  
**Source:** n/a

**Pre-application Deadline:** 8/16/17  
**Application Deadline:** 8/25/17

**PROPOSED BUDGET SUMMARY:**

<table>
<thead>
<tr>
<th>2017–2018 Oracle Impact Grant Request for Funding:</th>
<th></th>
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<tbody>
<tr>
<td>- Consultant Services</td>
<td>$69,775.00</td>
</tr>
<tr>
<td>- Equipment and Supplies</td>
<td>$10,000.00</td>
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<tr>
<td>- Maker Educator Certification Scholarships</td>
<td>$7,500.00</td>
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<td>Indirect Costs (14.58%)</td>
<td>$12,725.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$100,000.00</strong></td>
</tr>
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**PROJECT DESCRIPTION:**

This project will support the STEM Center@SMCOE to accelerate the growth of a maker-centered learning culture for students and educators throughout San Mateo County. It will help fund the services we deliver via our Make/Learn program, including:

- Maker Program and Makerspace Consultation and Design Services
- SMCOE Make/Learn Active Learning Studio
- Make/Learn Mobile, our lending program of making equipment, tools, kits and resources
- Make/Learn Professional Learning
- Facilitation of extended “maker educator”professional networks
1) Are any project personnel to be housed at 101 Twin Dolphin Drive?  
   Yes ☒ No ☐  
   1a) If yes, note physical location: STEM Center, 101 Twin Dolphin Dr., Redwood City, CA 94065

2) Approximate number of new personnel required to carry out project? 0.00

3) Will County Office staff services be utilized to carry out the program?  
   Yes ☒ No ☐

4) Will County Office materials and equipment be used to carry out the program?  
   Yes ☒ No ☐  
   4a) If yes, what will the department provide? Computers, photocopiers, makerspace equipment

5) Has an administrative overhead charge been included in the program budget?  
   Yes ☒ No ☐  
   5a) Explain: Indirect costs of 14.58%

APPROVALS:

Program Manager:  
Division Head:  
County Superintendent:  
County Board of Education: 

PREPARED BY: Rebecca Vyduna  
PROGRAM: Curriculum & Instruction Services

ACTION OF FUNDING AGENCY:

☐ APPROVED (DATE): AMOUNT FUNDED: $  
BEGINNING DATE: ENDING DATE: 

☐ DISAPPROVED (DATE): COMMENTS: 

__________________________________________
August 30, 2017

To: Anne E. Campbell, County Superintendent of Schools

From: Nancy Magee, Associate Superintendent, Student Services Division

Subject: Opening of 2017-2018 School Year for SMCOE Student Programs

The 2017-2018 school year for all SMCOE Student Programs is fully launched, and staff and students are settling into positive routines to support student learning and growth.

I will be present at the Board meeting on September 6, 2017, to share details about our new staff members, innovative curriculum, and program goals for the new school year.

Forward to the Board:

Anne E. Campbell, County Superintendent of Schools
Joint Resolution No. 17-36
San Mateo County Board of Education
and
San Mateo County Superintendent of Schools
State of California

Acknowledging October 4, 2017, as International Walk to School Day

Whereas, the San Mateo County Board of Education and the County Superintendent of Schools are active partners in San Mateo County Safe Routes to School; and

Whereas, the health and safety of San Mateo County children is of highest concern to the County Board and County Superintendent; and

Whereas, the County Board and County Superintendent support efforts to make San Mateo County walkable and bikeable in the interest of creating the healthiest and safest school community environments; and

Whereas, walking and biking to school can help enhance the health and overall physical activity of children, improve air quality and the environment, and reduce traffic congestion and speed in and around school zones; and

Whereas, driving students to school by private vehicle contributes to traffic congestion and air pollution; and

Whereas, Safe Routes to School teaches children pedestrian and bicycle safety;

Whereas, International Walk to School Day encourages students, faculty and parents to walk and bike to school; and

Whereas, safer routes to and from schools can decrease pedestrian and bicyclist related injuries, not just for students, but for the entire community; and

Whereas, children, parents, school staff and community leaders around the world are joining together to walk or bike to school on International Walk to School Day, which has proven to be helpful in demonstrating to children that walking and biking to school can be fun;

Now, Therefore, Be It Resolved that the San Mateo County Board of Education and the County Superintendent of Schools support the Safe Routes to School initiative, proclaim October 4, 2017, as International Walk to School Day, and encourage everyone to consider the safety and health of children in San Mateo County today and everyday.

SAN MATEO COUNTY
SUPERINTENDENT OF SCHOOLS

SAN MATEO COUNTY
BOARD OF EDUCATION

Passed and Adopted on this
Sixth day of September 2017

President
August 30, 2017

To: San Mateo County Board of Education

From: Anne E. Campbell, County Superintendent of Schools

Subject: Response to 2016-2017 San Mateo County Civil Grand Jury Report on “How have San Mateo County Public Schools Responded to the Epinephrine Auto-Injector Law, Senate Bill (SB) 1266?”


The Grand Jury made the following recommendations to the San Mateo County Office of Education:

1. Ensure that each of its schools keeps Pens in clearly labeled boxes that are in plain sight in the school’s main administrative office.

2. Ensure that each school posts a list of faculty and staff who have completed the annual training program required by SB 1266. Such list should be posted in or near the school’s Pens.

3. Ensure that the packet of information provided by the San Mateo County Schools Insurance Group describing the content and intent of SB 1266 and the required training program as may be updated from time to time, is available as a resource in each of its schools.

4. Ensure that the schools develop policies and procedures for the possible emergency use of Pens at off-site or evening on-site school supervised events and for the accommodation of students with known food or other allergies (i.e., designated areas in the cafeteria, allergen-aware classrooms, etc.)

Attached for the Board’s review is the Grand Jury report as well as the County Superintendent’s response to the findings and recommendations.

Attachments: Grand Jury Report
Superintendent Campbell’s Response on Behalf of SMCOE

Approved and Recommended to the Board:

Anne E. Campbell, County Superintendent of Schools
September 7, 2017

Grand Jury Foreperson
Court Executive Office
Hall of Justice
400 County Center
Redwood City, CA 94063-1655
Email: grandjury@sanmateocourt.org

Dear Grand Jury Foreperson:

The San Mateo County Office of Education (SMCOE) has received and reviewed the 2016-2017 Grand Jury Report entitled “How Have San Mateo County Public Schools Responded To The Epinephrine Auto-Injector Law, SB 1266?” We appreciate the Grand Jury’s interest in this important topic. Having reviewed and considered the Grand Jury’s Findings and Recommendations, SMCOE responds as follows, pursuant to section 933.05 of the California Penal Code.

FINDINGS

F1. In the public schools visited by the Grand Jury, Pens were maintained in brightly colored and clearly labeled yellow boxes and were maintained in plain sight in the main administrative office or anteroom.

SMCOE is unable to agree or disagree with this Finding, as it was not present during the Grand Jury’s visits to various school sites in other districts.

F2. The distribution and supply of Pens is managed by the San Mateo County Schools Insurance Group through the school district offices with a process for replacing used or expired Pens. SMCOE agrees that it has a process for receiving Pens from SMCSIG and for replacing used or expired Pens.

F3. In the public schools visited by the Grand Jury, principals generally indicated that their faculty and staff had attended a training program addressing recognition of an allergic anaphylactic event and the techniques for using a Pen to treat the student experiencing an anaphylactic reaction. One school had a list of faculty and staff who had received the prescribed annual training including their position and location, which was mounted in a plastic sleeve and posted next to the brightly yellow-colored EpiPen box.
SMCOE is unable to agree or disagree with this Finding, as it was not present during the Grand Jury's visits to various school sites in other districts.

**F4.** The San Mateo County Schools Insurance Group provided an initial training program in February 2015, discussing the content and intent of SB 1266 and describing techniques for recognizing symptoms of anaphylaxis and emergency use of Pens. The San Mateo County Schools Insurance Group has scheduled annual training programs but additional responsibility for training was left to each school district to cover in subsequent presentations to their schools without a format for tracking whether or not the districts were actually offering these presentations on an annual basis.

SMCOE agrees with this finding.

**F5.** Some schools visited had no awareness of the packet of information describing the content and intent of SB 1266, and the training program addressing recognition of an allergic anaphylactic reaction and the techniques for using a Pen to treat a student experiencing an anaphylactic reaction, that were originally distributed by the San Mateo County Schools Insurance Group at their February, 2015 presentation.

SMCOE is unable to agree or disagree with this Finding, as it was not present during the Grand Jury’s visits to various school sites in other districts.

**F6.** Some schools visited had no standard policies or procedures for the possible emergency use of Pens at off-site or evening on-site school supervised events though some schools had policies to accommodate students with known food or other allergies and all seemed to have conscientiously recorded a medical history for students attending their school.

SMCOE is unable to agree or disagree with this Finding, as it was not present during the Grand Jury’s visits to various school sites in other districts.

**RECOMMENDATIONS**

**R3.** Each school district shall ensure that each of its schools keeps Pens in clearly labeled boxes that are in plain sight in the school’s main administrative office.

The SMCOE pens are centrally located in clearly labeled boxes at each of our sites where staff can readily access them.

**R4.** Each school district shall ensure that each of its schools posts a list of faculty and staff who have completed the annual training program required by SB 1266. Such list should be posted in or near the school’s Pens.

Because of the medically fragile status of many of our students, SMCOE has trained all school site staff in the use of the Pens and provides refresher training on an annual basis. Because all staff are trained, we do not post a list.
R5. Each school district shall ensure that the packet of information provided by the San Mateo County Schools Insurance Group describing the content and intent of SB 1266 and the required training program, as may be updated from time to time, is available as a resource in each of its schools.

SMCOE will implement this recommendation and plans to post an on-line resource on the SMCOE website that will be accessible to all staff.

R6. Each school district shall ensure that schools develop policies and procedures for the possible emergency use of Pens at off-site or evening on-site school supervised events and for the accommodation of students with known food or other allergies (i.e., designated areas of the cafeteria, allergen-aware classrooms, etc.)

SMCOE will review our applicable board policies and regulations and update them as needed.

Both the Grand Jury Report and these responses were presented to the San Mateo County Board of Education at its meeting held on September 6, 2017.

Please do not hesitate to contact me if you have questions or required additional information.

Sincerely,

Anne E. Campbell
San Mateo County Superintendent of Schools

AEC:a
California Senate Bill 1266, which became effective January 1, 2015, requires all California public schools to stock epinephrine auto-injectors (Pens) and ensure that school nurses or other school personnel are trained to use these devices to treat students suffering, or reasonably believed to be suffering, from anaphylaxis, i.e., a severe allergic reaction. This report evaluates how public schools in San Mateo County have implemented SB 1266.

SUMMARY

Anaphylaxis, or anaphylactic shock, is a symptomatic manifestation of a severe allergic reaction. California Senate Bill 1266 (SB 1266) defines anaphylactic shock as a potentially life-threatening hypersensitivity to a substance or allergen. Allergic reactions to foods have become the most common cause of anaphylaxis in community health settings. Other common allergens, or triggers, include insect stings, medications, latex and exercise. Although aware of food allergies for decades, the public has become increasingly aware of the incidence and prevalence of untoward reactions to certain foods and of the potential life-threatening severity of these reactions presenting clinically as anaphylaxis. The immediate emergency treatment indicated for individuals experiencing severe allergic reactions to certain foods is the injection of epinephrine. In recognition of these potential dangers, the State of California passed SB 1266, effective January 1, 2015, mandating the availability of epinephrine auto-injectors at each of the state’s public schools including charter schools. Schools must provide these epinephrine auto-injectors to school nurses or trained personnel who have volunteered to administer them to students suffering, or reasonably believed to be suffering, from a severe allergic reaction.

The 2016-2017 San Mateo County Civil Grand Jury (Grand Jury) was interested in determining how or whether the public schools throughout the County of San Mateo (County) were complying with the requirements of SB 1266. Though not all schools responded to a Grand Jury survey, it appears that most schools are complying with the provisions of SB 1266 which require the stocking and ready availability of Pens to school nurses and to personnel who have volunteered to administer epinephrine and who have been trained to recognize and treat adverse allergic reactions. Less information was available for evaluating the content and scheduling of annual training programs to maintain a qualified cadre of faculty and staff at each school.
GLOSSARY

For the purpose of this report, the following terms have the following meanings:

• “Anaphylaxis” A severe and potentially life-threatening allergic reaction to a situation or substance. Symptoms may include shortness of breath, difficulty in breathing caused by swelling of the airway, difficulty in swallowing, hives, itching, swelling, asthma or shock. Causes may include food allergies, insect stings, medications, latex and exercise.

• “Epinephrine Auto-injectors” also referenced herein as “Pens.” A disposable drug delivery system with a spring-activated needle that is designed for emergency administration of epinephrine (adrenaline) to provide rapid treatment for persons experiencing a potentially fatal reaction to triggers of anaphylaxis noted above.

• “Trained personnel” An employee who has volunteered to administer epinephrine auto-injectors to a person suffering, or reasonably believed to be suffering, from anaphylaxis, who has been designated by a school and who has received appropriate training pursuant to school district policy.

METHODOLOGY

In conducting its investigation, the Grand Jury:

• Developed an email survey of San Mateo County’s 23 K-12 public school district offices, 160 public school sites, the San Mateo County Office of Education (SMCOE), and 12 public charter schools. Together, all of these public schools serve more than 95,000 students. Charter schools were included in the group surveyed but SMCOE schools (i.e., court and community schools) were not.

• Reviewed relevant publications and the California School Nurses Organization (CSNO) website.

• Conducted on-site school and district office visits.

BACKGROUND

Food allergies have become a significant food safety and public health concern and are currently estimated to affect approximately 8% of children in the United States. A study released in 2013 by the Centers for Disease Control (CDC) found that food allergies among children increased approximately 50% between 1997 and 2011. These allergic reactions can be severe and life-

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threatening. They can impact children and their families. Children with food allergies face health challenges that influence not only their ability to learn, but also their social and emotional development.\(^6\)

Food allergies cannot be cured. Meaningful management of such allergies, including treatment of anaphylaxis, requires the participation of families, treating physicians, school staff, early caregivers and individuals supervising other extra-curricular and education programs. Involvement must include the development of comprehensive plans for protecting children with known food allergies and effective responses for dealing with food allergy emergencies.

Studies have shown that 16-18% of children with known food allergies have had a reaction after accidentally eating food allergens at school.\(^7\) Conversely, 25% of severe and potentially life-threatening or anaphylactic reactions to consumption of food allergens at school have occurred in children without prior diagnosis of a food allergy.\(^8\) School staff need to be prepared to respond effectively to the emergency needs of both children with known food allergies as well as those children who have not had a prior awareness of food allergies but who exhibit the clinical signs and symptoms of a significant allergic reaction.

Food Allergy Research and Education (FARE), a national non-profit, has noted that one in every 13 children under the age of 18 or approximately two children in every classroom will have a known food allergy.\(^9\) The CDC notes that food allergy reactions occur in one of every 25 children.\(^10\) Based on a student population of 95,000 in San Mateo County public schools, one would anticipate some 3,800 students using CDC estimates, and 7,307 students using incidence statistics noted by FARE, of having an identified food allergy. As noted above, there are probably many other students who have food allergies that are unknown to them, their parents, or their caregivers. The CDC notes the probability that one in every four students, without a previously identified food allergy, is at risk of experiencing a severe reaction after accidentally ingesting a food allergen while at school. The CDC has reported that food allergies result in more than 300,000 ambulatory medical visits a year among children under the age of 18.\(^11\)

Anaphylaxis is recognized as a severe and potentially fatal allergic reaction which is rapid in onset and progression. The most common clinical symptoms include throat tightening, hoarseness or swelling, itching, persistent wheezing, difficulty in breathing, fainting or low blood pressure. Currently there is no treatment that prevents the allergic reaction to certain foods other than avoiding ingestion of the food allergen. Early recognition of symptoms and prompt treatment are imperative.

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\(^7\) Ibid


\(^11\) Ibid
The recommended first line of treatment for a significant allergic reaction or anaphylaxis is epinephrine, which is currently available in the form of an auto-injector. Because it is not possible to predict which mild symptoms of an allergic reaction will progress to anaphylaxis, it becomes important to closely monitor children who develop symptoms of an allergic reaction after consuming a known or suspected food allergen and to be prepared to treat them for early signs of anaphylaxis. Food allergies account for 35-50% of all cases of anaphylaxis presenting to emergency rooms. A delay in administering epinephrine has been identified as one of the most significant risk factors associated with a fatal outcome. "Observation in a hospital setting is necessary for at least four hours after initial symptoms subside because delayed and prolonged reactions may occur even after proper initial treatment."

SB 1266 requires California public schools, charter schools, and county offices of education to stock Pens to treat any student who may be experiencing an anaphylactic reaction. This legislation requires school districts to develop policies and guidelines to improve the response to, and management of, food allergies in schools. In addition, private elementary and secondary schools in the state may voluntarily determine whether to follow the recommendations of this statute.

DISCUSSION

Prior to 2015, schools were only required to have Pens available. SB 1266 now requires California school districts, county offices of education, and charter schools to have Pens accessible to treat any student experiencing, or reasonably believed to be suffering from, an anaphylactic reaction to any allergen whether or not they are aware of previously diagnosed food allergies. The bill also authorizes a school nurse, or volunteer personnel who have been trained in the emergency use of Pens, to administer this medication should such a situation arise.

The Intent of SB 1266

SB 1266 amended Section 49414 of the Education code as follows:

- School districts, county offices of education and charter schools are required to provide emergency epinephrine auto-injectors for use in situations of student anaphylactic emergencies; and

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16 SB 1266 also added Section 4119.2 to the Business and Professions Code and Section 49414 to the Education Code.
• School nurses and trained personnel may use epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

SB 1266 also requires the State Superintendent of Public Instruction to review and update minimum standards for training in the use of epinephrine auto-injectors at least every five years. These training standards are to be developed using evidence-based, commonly accepted standards of care. Training in cardiopulmonary resuscitation (CPR) is recommended for those identified as qualified to administer Pens to treat anaphylaxis. Also important is recognizing the need for prompt follow-up medical care at an emergency room or from a treating physician.

School districts, county offices of education, and charter schools are also required to ensure that each employee who volunteers to administer epinephrine auto-injectors and who has undertaken the training required by SB 1266 be provided defense and indemnification for any and all civil liability.

Public schools, county offices of education, and charter schools are required to have up-to-date prescriptions for Pens. The law addresses the use of Pens on public school or county office of education school campuses but does not require the presence of a school nurse or trained volunteer to treat anaphylaxis occurring during field trips or other off-site school supervised activities.

The California School Nurses Organization “recommends that school nurses work with their districts to develop policies and procedures that address activities outside of the school site, considering school nurse staffing and other challenges with regards to evenings and weekends.”

Training of Staff and Volunteers

Previous legislation addressing the use of epinephrine auto-injectors in state public schools required the Superintendent of Public Instruction to establish minimum standards of training for those certified to administer epinephrine auto-injectors, and required school districts and county offices of education to create plans addressing the use of epinephrine auto-injectors. SB 1266 deletes the requirement for school districts and county offices of education to create such plans, revises the training requirements, and requires the Superintendent to review the minimum standards of training every five years.

Section 49414 of the California Education Code requires that training in the use of epinephrine auto-injectors include all of the following:

• Techniques for recognizing symptoms of anaphylaxis.
• Standards and procedures for the storage, restocking and emergency use of epinephrine auto-injectors.

• Emergency follow-up procedures, including calling 911 and contacting, if possible, the pupil’s parent and physician.

• Recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation.

• Instruction on how to determine whether to use an adult epinephrine auto-injector or a junior epinephrine auto-injector, which shall include consideration of a pupil’s grade level or age as a guidance of equivalency for the appropriate pupil weight determination.

• Written materials covering the information required under this subdivision.

Section 49414 further provided that such training programs be consistent with the most recent Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs published by the CDC and the most recent guidelines for medication administration issued by the CDC. These current guidelines recommend:

• Accommodations for services needed for the allergic child to be safely included in activities by providing allergen-free classrooms and allergy-friendly seating arrangements;

• Provisions or instructions for treatment of allergic reactions be posted in the cafeteria, establishment of designated allergy-friendly seating during meals (open to any child eating foods free of identified allergens), rapid access to epinephrine auto-injectors in cases of food allergy emergency, and training in the use of Pens for staff.

In carrying out the provisions of SB 1266, all public schools are authorized to accept gifts, grants, or donations from any source including, but not limited to, the acceptance of epinephrine auto-injectors.

Survey of Schools to Monitor Compliance

In October 2016, the Grand Jury emailed surveys to each of the 160 K-12 public schools as well as the County Office of Education (SMCOE) and each of the 23 school district offices in San Mateo County. These surveys solicited objective responses from each of the public schools and school districts for the purposes of evaluating the status of their compliance with the requirements of SB 1266. The survey consisted of eight focused questions readily answerable with a yes or no response. In the event a responding school or district already had a policy or procedure responsive to a particular question, such respondents were directed to forward a copy of such policy or procedure. [Appendices A and B]

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Responses to the initial survey solicitation were received from 139 of 160 of the county public schools (87%), from 16 of the 23 county school district offices and from the SMCOE. Responses to four primary questions were evaluated to assess basic compliance with SB 1266:

- How many regular Pens were available for use in emergencies at your school?
- How many Jr. Pens were available for use in emergencies at your school?
- How many trained volunteers or school nurses were certified to administer Pens in the event of an emergency at your school?
- At your school, who is responsible for stocking and replenishing the stock of Pens?

Other questions addressed how many students with known allergies carried their own Pens to school, how the individual schools obtained their supply of Pens, whether individual schools had a policy for the possible emergency use of Pens at off-site school supervised events and whether individual schools had policies to accommodate students with known food allergies.

The collection, evaluation and interpretation of responses to the survey sent to the public schools in the County was complicated by the unanticipated involvement of the San Mateo County Schools Insurance Group (SMCSIG), a joint powers agency comprised of all 23 school districts and the SMCOE. As a general matter, SMCSIG provides risk management and insurance coverage for all of its members (i.e., the 23 school districts and the SMCOE) and, in addition, "provides training and offers programs to schools that are designed to reduce risk and promote safety."21

To facilitate the response to the stipulations of SB 1266, SMCSIG was affirmatively selected by the SMCOE and school district Superintendents to develop policy and procedures for all of the county's public schools, school district offices, and the SMCOE, to enable them to meet the requirements of the bill.

Pursuant to the procedures implemented by SMCSIG, San Mateo County schools receive two boxes of Pens (4 adult per site or 2 junior and 2 adult) from Mylan Specialty, the manufacturer, through BioRidge Pharma, LLC. SMCSIG has established itself as an intermediary between BioRidge Pharma and has assumed the responsibility for ordering, distributing, and replacing Pens for each of the 23 school districts in the County. Schools using their stock of Pens for emergencies can receive replacement Pens from SMCSIG if they complete a form describing the incident requiring the use of the Pen. In the event that stocked Pens expire (Pens have a shelf life of 12-18 months), schools are eligible to replenish outdated stock at no cost.

SMCSIG also developed model policies and procedures for schools and school districts to adopt in order to comply with SB 1266. Such policies and procedures were developed by SMCSIG with the assistance of a consultant, utilizing the California School Nurses Association publication *Stock Epinephrine Requirements for California Schools, Senate Bill SB1266*. These

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policies and procedures were presented and distributed to the individual San Mateo County public schools and school district offices in February 2015.

On February 1, 2015, the training plan and program developed by SMCSIG was presented to school nurses, school faculty and staff interested in being trained and in training others, and becoming certified to administer Pens in the treatment of a student experiencing an anaphylactic emergency. SMCSIG has taken responsibility for managing and monitoring the distribution of Pens to school district offices. They have scheduled additional annual training programs and otherwise depend on individual schools and districts taking the initiative to conduct such training programs on their own. Recently, district offices in Brisbane, San Bruno and Millbrae have developed and presented their own training programs (October-November 2016). Of further interest is the fact that at least one district has been holding annual training sessions for faculty and staff for the past eight years (i.e., even prior to the passage of SB 1266) after having recognized the potential danger of food allergy anaphylactic reactions in its students.

For the Grand Jury, assessing the performance of schools in addressing the dangers of allergy-induced anaphylaxis was somewhat arduous both because of the involvement of SMCSIG in the process of presentation, management, supply, and oversight, as well as the large number of individual public schools and school district offices to be evaluated.

The CSNO has recommended that identified individuals in each of the County’s school districts work to develop and implement procedures to document the proper care, use, follow-up, and the restocking of Pens in a timely manner. The Grand Jury’s site visits to various schools throughout the County showed compliance with SB 1266’s requirement that each school site maintain its requisite supply of Pens, which are supplied through SMCSIG. At the schools visited by the Grand Jury, Pens were stored in labeled and brightly colored yellow boxes which were maintained unlocked in school administrative offices. Their location was known to administrative office staff and to a number of school faculty and staff, depending upon the training at each site. Replacement of Pens, either because of use or expiration, was monitored by identified personnel at the school or district office, by the district nurse, if the district had a nurse, and by SMCSIG.

In contrast, it was more difficult for the Grand Jury to assess schools’ maintenance of a list of the individuals trained to recognize allergic anaphylactic reactions and to administer Pens, and if the training of such individuals was current. Although SMCSIG undertook an initial training presentation in February 2015 addressing recognition and treatment of food allergic reactions, the intent was to train individuals at the County schools and for the district offices to schedule subsequent training sessions. SMCSIG has scheduled annual training programs but scheduling of additional training programs has been left to the school districts themselves and additional or refresher training seems to have been somewhat sporadic and appears to be limited to those school districts that are fortunate enough to have nurses, or which have nurse consultants through contracted healthcare providers.

In assessing compliance with the training standards mandated by SB 1266, the Grand Jury found that school personnel had been instructed in selecting the appropriate size of Pen to administer to a particular student experiencing an anaphylactic allergic reaction. However, in the schools
visited, personnel did not seem to be aware of the existence or location of written training materials required by SB 1266 even though such materials were distributed by SMCSIG to be made readily accessible in a school’s administrative office.

Of the remaining six component standards recommended for the training program, techniques for recognizing symptoms of anaphylaxis and emergency use of Pens were addressed in initial and subsequent annual presentations by SMCSIG but were otherwise left to school district offices to cover in subsequent presentations to schools in their districts. Management of standards and procedures for the storage and restocking of Pens was assumed by SMCSIG. Recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation, one of the six component standards, have not been addressed. It is noted that a prerequisite for obtaining a teaching credential is completion of a course in CPR. Refresher or additional training in CPR after receiving the credential is optional in most districts.

FINDINGS

F1. In the public schools visited by the Grand Jury, Pens were maintained in brightly colored and clearly labeled yellow boxes and were maintained in plain sight in the main administrative office or anteroom.

F2. The distribution and supply of Pens is managed by the San Mateo County Schools Insurance Group through the school district offices with a process for replacing used or expired Pens.

F3. In the public schools visited by the Grand Jury, principals generally indicated that their faculty and staff had attended a training program addressing recognition of an allergic anaphylactic event and the techniques for using a Pen to treat the student experiencing an anaphylactic reaction. One school had a list of faculty and staff who had received the prescribed annual training including their position and location, which was mounted in a plastic sleeve and posted next to the brightly yellow-colored EpiPen box.

F4. The San Mateo County Schools Insurance Group provided an initial training program in February 2015, discussing the content and intent of SB 1266 and describing techniques for recognizing symptoms of anaphylaxis and emergency use of Pens. The San Mateo County Schools Insurance Group has scheduled annual training programs but additional responsibility for training was left to each school district to cover in subsequent presentations to their schools without a format for tracking whether or not the districts were actually offering these presentations on an annual basis.

F5. Some schools visited had no awareness of the packet of information describing the content and intent of SB 1266, and the training program addressing recognition of an allergic anaphylactic reaction and the techniques for using a Pen to treat a student experiencing an anaphylactic reaction, that were originally distributed by the San Mateo County Schools Insurance Group at their February, 2015 presentation.

F6. Some schools visited had no standard policies or procedures for the possible emergency use of Pens at off-site or evening on-site school supervised events though some schools had policies to accommodate students with known food or other allergies and all seemed to have conscientiously recorded a medical history for students attending their school.
RECOMMENDATIONS

[To the San Mateo County Schools Insurance Group]:

R1. The Grand Jury recommends that the San Mateo County Schools Insurance Group implement policies and procedures to confirm whether the school district offices are offering the annual training programs required by SB 1266.

R2. The Grand Jury recommends that the San Mateo County Schools Insurance Group update and redistribute its packet of information describing the content and intent of SB 1266 and the required training program.

[To each school district]:

R3. Each school district shall ensure that each of its schools keeps Pens in clearly labeled boxes that are in plain sight in the school’s main administrative office.

R4. Each school district shall ensure that each of its schools posts a list of faculty and staff who have completed the annual training program required by SB 1266. Such list should be posted in or near the school’s Pens.

R5. Each school district shall ensure that the packet of information provided by the San Mateo County Schools Insurance Group describing the content and intent of SB 1266 and the required training program, as may be updated from time to time, is available as a resource in each of its schools.

R6. Each school district shall ensure that schools develop policies and procedures for the possible emergency use of Pens at off-site or evening on-site school supervised events and for the accommodation of students with known food or other allergies (i.e., designated areas in the cafeteria, allergen-aware classrooms, etc.)

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- R1 and R2: San Mateo County Schools Insurance Group
- R3 through R7: San Mateo County Public School District Offices
  
  Bayshore Elementary School District
  Belmont-Redwood Shores School District
  Brisbane School District
  Burlingame School District
  Cabrillo Unified School District
  Hillsborough City School District
  Jefferson Elementary School District
  Jefferson Union High School District
La Honda-Pescadero Unified School District
Las Lomitas Elementary School District
Menlo Park City School District
Millbrae School District
Pacifica School District
Portola Valley School District
Ravenswood City School District
Redwood City School District
San Bruno Park School District
San Carlos School District
San Mateo-Foster City School District
San Mateo Union High School District
Sequoia Union High School District
South San Francisco Unified School District
Woodside Elementary School District

- R3 through R7: San Mateo County Office of Education

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.
BIBLIOGRAPHY


SB1266 also added Section 4119.2 to the Business and Professions Code and Section 49414 to the Education Code.

APPENDIX A: SB 1266

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 4119.2 of the Business and Professions Code is amended to read:

4119.2. (a) Notwithstanding any other law, a pharmacy may furnish epinephrine auto-injectors to a school district, county office of education, or charter school pursuant to Section 49414 of the Education Code if all of the following are met:

(1) The epinephrine auto-injectors are furnished exclusively for use at a school district site, county office of education, or charter school.

(2) A physician and surgeon provides a written order that specifies the quantity of epinephrine auto-injectors to be furnished.

(b) Records regarding the acquisition and disposition of epinephrine auto-injectors furnished pursuant to subdivision (a) shall be maintained by the school district, county office of education, or charter school for a period of three years from the date the records were created. The school district, county office of education, or charter school shall be responsible for monitoring the supply of epinephrine auto-injectors and ensuring the destruction of expired epinephrine auto-injectors.

SEC. 2. Section 49414 of the Education Code is amended to read:

49414. (a) School districts, county offices of education, and charter schools shall provide emergency epinephrine auto-injectors to school nurses or trained personnel who have volunteered pursuant to subdivision (d), and school nurses or trained personnel may use epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

(b) For purposes of this section, the following terms have the following meanings:

(1) "Anaphylaxis" means a potentially life-threatening hypersensitivity to a substance.

(A) Symptoms of anaphylaxis may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma.

(B) Causes of anaphylaxis may include, but are not limited to, an insect sting, food allergy, drug reaction, and exercise.

(2) "Authorizing physician and surgeon" may include, but is not limited to, a physician and surgeon employed by, or contracting with, a local educational agency, a medical director of the local health department, or a local emergency medical services director.

(3) "Epinephrine auto-injector" means a disposable drug delivery system with a spring-activated needle that is designed for emergency administration of epinephrine to provide rapid, convenient first aid for persons suffering a potentially fatal reaction to anaphylaxis.

(4) "Qualified supervisor of health" may include, but is not limited to, a school nurse.
(5) "Volunteer" or "trained personnel" means an employee who has volunteered to administer epinephrine auto-injectors to a person if the person is suffering, or reasonably believed to be suffering, from anaphylaxis, has been designated by a school, and has received training pursuant to subdivision (d).

(c) Each private elementary and secondary school in the state may voluntarily determine whether or not to make emergency epinephrine auto-injectors and trained personnel available at its school. In making this determination, a school shall evaluate the emergency medical response time to the school and determine whether initiating emergency medical services is an acceptable alternative to epinephrine auto-injectors and trained personnel. A private elementary or secondary school choosing to exercise the authority provided under this subdivision shall not receive state funds specifically for purposes of this subdivision.

(d) Each public and private elementary and secondary school in the state may designate one or more volunteers to receive initial and annual refresher training, based on the standards developed pursuant to subdivision (e), regarding the storage and emergency use of an epinephrine auto-injector from the school nurse or other qualified person designated by an authorizing physician and surgeon.

(e) (1) Every five years, or sooner as deemed necessary by the Superintendent, the Superintendent shall review minimum standards of training for the administration of epinephrine auto-injectors that satisfy the requirements of paragraph (2). For purposes of this subdivision, the Superintendent shall consult with organizations and providers with expertise in administering epinephrine auto-injectors and administering medication in a school environment, including, but not limited to, the State Department of Public Health, the Emergency Medical Services Authority, the American Academy of Allergy, Asthma and Immunology, the California School Nurses Organization, the California Medical Association, the American Academy of Pediatrics, Food Allergy Research and Education, the California Society of Allergy, Asthma and Immunology, the American College of Allergy, Asthma and Immunology, the Stanford Allergy Center, and others.

(2) Training established pursuant to this subdivision shall include all of the following:

(A) Techniques for recognizing symptoms of anaphylaxis.

(B) Standards and procedures for the storage, restocking, and emergency use of epinephrine auto-injectors.

(C) Emergency followup procedures, including calling the emergency 911 telephone number and contacting, if possible, the pupil's parent and physician.

(D) Recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation.

(E) Instruction on how to determine whether to use an adult epinephrine auto-injector or a junior epinephrine auto-injector, which shall include consideration of a pupil's grade level or age as a guideline of equivalency for the appropriate pupil weight determination.

(F) Written materials covering the information required under this subdivision.

(3) Training established pursuant to this subdivision shall be consistent with the most recent Voluntary Guidelines for Managing Food Allergies In Schools and Early Care and Education Programs published by the federal Centers for Disease Control and Prevention and the most recent guidelines for medication administration issued by the department.
(4) A school shall retain for reference the written materials prepared under subparagraph (F) of paragraph (2).

(f) A school district, county office of education, or charter school shall distribute a notice at least once per school year to all staff that contains the following information:

1. A description of the volunteer request stating that the request is for volunteers to be trained to administer an epinephrine auto-injector to a person if the person is suffering, or reasonably believed to be suffering, from anaphylaxis, as specified in subdivision (b).

2. A description of the training that the volunteer will receive pursuant to subdivision (d).

(g) (1) A qualified supervisor of health at a school district, county office of education, or charter school shall obtain from an authorizing physician and surgeon a prescription for each school for epinephrine auto-injectors that, at a minimum, includes, for elementary schools, one regular epinephrine auto-injector and one junior epinephrine auto-injector, and for junior high schools, middle schools, and high schools, if there are no pupils who require a junior epinephrine auto-injector, one regular epinephrine auto-injector. A qualified supervisor of health at a school district, county office of education, or charter school shall be responsible for stocking the epinephrine auto-injector and restocking it if it is used.

2. If a school district, county office of education, or charter school does not have a qualified supervisor of health, an administrator at the school district, county office of education, or charter school shall carry out the duties specified in paragraph (1).

3. A prescription pursuant to this subdivision may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers.

(h) A school nurse or, if the school does not have a school nurse or the school nurse is not onsite or available, a volunteer may administer an epinephrine auto-injector to a person exhibiting potentially life-threatening symptoms of anaphylaxis at school or a school activity when a physician is not immediately available. If the epinephrine auto-injector is used it shall be restocked as soon as reasonably possible, but no later than two weeks after it is used. Epinephrine auto-injectors shall be restocked before their expiration date.

(i) A volunteer shall initiate emergency medical services or other appropriate medical followup in accordance with the training materials retained pursuant to paragraph (4) of subdivision (e).

(j) A school district, county office of education, or charter school shall ensure that each employee who volunteers under this section will be provided defense and indemnification by the school district, county office of education, or charter school for any and all civil liability, in accordance with, but not limited to, that provided in Division 3.6 (commencing with Section 810) of Title 1 of the Government Code. This information shall be reduced to writing, provided to the volunteer, and retained in the volunteer's personnel file.

(k) A state agency, the department, or a public school may accept gifts, grants, and donations from any source for the support of the public school carrying out the provisions of this section, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
APPENDIX B: Survey #1 (sent to county public schools)

SB1266 and Epinephrine Auto-Injector ("EpiPens®" or "PENS") Use in San Mateo County Schools

1. How many adult PENS does your school stock? ___________________

2. How many junior PENS does your school stock? ___________________

3. How many students with known allergies carry their own prescribed PENS for treatment of anaphylaxis or have them stored at school in emergency medical cabinets under their names? ___________________

4. How many persons at your school (school nurses, volunteer trained personnel) have received the requisite initial and annual training regarding the storage and emergency use of PENS? ___________________

5. At your school, who is responsible (Title/Position) for stocking PENS and for replenishing stock when PENS are used or have expired? ___________________

6. How does the school obtain PENS, e.g. by pharmacy prescription at a cost or from Mylan or its representative without cost? Are any costs incurred supported by gifts, grants or donations from any source? ___________________

7. Does your school have a policy addressing the possible emergency need for PENS availability and use at off-site events? If so, please attach a copy of the policy. ___________________

8. Does your school have a policy to accommodate children with known food allergies such as allergen-free classrooms, allergy-friendly seating during meals and/or posting of instructions for treatment of allergic reactions? If so, please attach a copy of the policy. ___________________

9. Additional Comments ___________________

Thank you for your help in completing this survey. Please return by ___________________
APPENDIX C: Survey #1 (sent to county school district offices)

SB1266 and Epinephrine Auto-Injector ("EpiPens®" or "PENS") Use in San Mateo County Schools

1. Approximately how many students are there in your district? [Please note that this figure should include all general education, special education, and charter school students.]

2. Have you (i.e., County Superintendent of Schools, District Superintendent or Charter School Director or Principal) established minimum standards of training regarding the emergency administration of epinephrine which are reviewed at least every 5 years ______ and do these standards include:

   • Techniques for recognizing signs of anaphylaxis _______________________________________
   • Procedures for storing, restocking and use of PENS _______________________________
   • Emergency follow up procedures including instruction and certification in CPR, calling 911 and student’s parents and MDs ________________________________
   • Recommendations on the necessity of instruction and certification ___________________
   • Instructions on how to determine whether adult or Jr. PEN _________________________

3. Does your district (i.e., County Office of Education, School District or Charter School) distribute a request, at least annually, for volunteers to train to use epinephrine auto-injectors to provide emergency medical aid? __________________________

4. Does your district (i.e., County Office of Education, School District or Charter School) have a policy to ensure that each employee or volunteer trained to use epinephrine auto-injectors to provide emergency medical aid is provided defense and indemnification for any and all civil liability? If so, please attach a copy of your policy.

5. Does the San Mateo County Office of Education have any policies or procedures addressing the use of PENS at pre-schools which fall under the SMCOE supervision?

6. Does your district (County Office of Education, School District or Charter School) have any programs in place to educate parents to understand the risks of allergy induced anaphylaxis and to inform them of protocols in place for the emergency administration of epinephrine?

7. Additional Comments ______________________________________________________________

Thank you for your help in completing this survey. Please return by ___________________________
Interviews

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

- Interviews were completed at selected San Mateo Elementary and Middle Public Schools, the San Mateo County Office of Education and San Mateo County District School Offices.

- Interviews were completed at the San Mateo County Schools Insurance Group
August 30, 2017

To: San Mateo County Board of Education

From: Anne E. Campbell, County Superintendent of Schools


On July 10, 2017, the 2016-2017 San Mateo County Civil Grand Jury issued a report on whether tire-derived products should be used on athletic fields in San Mateo County Schools.

The Grand Jury made the following recommendations to San Mateo County’s 23 school districts:

1. Produce written guidelines for the decision-making process involved in field installation and replacement, which shall include the following:
   a. Consider the uncertainty regarding the safety of tire-derived products used on school fields, particularly crumb rubber.
   b. Evaluate and make their decisions on policy development and field replacements based on current scientific evidence regarding the use of crumb rubber on athletic fields as it becomes available, whether or not the EPA report is complete.
   c. Undertake measures to increase community involvement during the field replacement evaluation process, including discussion regarding potential concerns about the safety of crumb rubber or other tire-derived products. This could be similar to the 2013 City of San Mateo study regarding the possibility of using artificial turf on its fields, which included extensive public outreach for comment, using post cards, website comment, community workshops and capture surveys to solicit and collect public input.

2. Consider (among other factors) the following when selecting materials for their athletic fields and playgrounds:
   a. Safety to humans and animals
   b. Suitability based upon the location’s intended use and frequency of use
   c. Cost (of installation and lifecycle requirements) and manufacturer warranty
3. Impose a moratorium on the utilization of artificial turf with crumb rubber infill until the Environmental Protection Agency concludes its study or until all the policies listed above have been implemented.

Attached for the Board’s review is the Grand Jury report.

Because the San Mateo County Office of Education was not named as a respondent, the County Superintendent has not prepared a response.

Attachments: Grand Jury Report

Forward to the Board:

Anne E. Campbell, County Superintendent of Schools
SHOULD TIRE-DERIVED PRODUCTS BE USED ON ATHLETIC FIELDS IN SAN MATEO COUNTY SCHOOLS?

ISSUE

In recent years, the use of recycled rubber tires, or “tire-derived products” (TDP), in playground and athletic field surfaces nationwide has increased. The trend began as a way to dispose of the enormous amount of tire-related waste that is generated each year. The Grand Jury investigated the use of these tire-derived products in San Mateo County school athletic fields in light of the considerable health and safety concerns raised by other communities and expressed in the print and online media regarding such products, particularly its “crumb rubber” form. How many crumb rubber fields exist at San Mateo County schools, and what is the process used by school districts to consider the safety and desirability of such material before utilizing it to replace existing fields?

SUMMARY

Citizens in communities around the U.S. have expressed concern to school districts, legislators and public facilities administrators that children may be exposed to potentially toxic materials by using artificial turf (AT) fields surfaced with TDP, particularly crumb rubber. Aware of these types of concerns, the Grand Jury became interested in what local school districts are doing to address them. The Grand Jury investigated the use of crumb rubber in athletic fields maintained by local school districts, including the process and costs of installation and maintenance of such fields, and the monetary grants and subsidies offered as incentives to use TDP. The Grand Jury also examined arguments in favor of artificial turf fields made with crumb rubber, including how those fields compare with natural grass in terms of overall costs, maintenance costs, safety for the people who use them, and the potential impact on the environment. In addition, while the Grand Jury cannot draw definitive conclusions as to the potential toxicity of crumb rubber surfaces, the investigation underlying this report nevertheless acknowledges, and was performed in light of, crumb rubber’s well-publicized health concerns. (See Bibliography.) The Grand Jury believes that it would be a mistake for San Mateo County school districts to fail to consider such potential health risks as a part of their overall analysis of whether to use crumb rubber on its athletic field surfaces. The Grand Jury surveyed all 23 school districts, and selected the San Mateo Union High School District (SMUHSD) and the San Mateo-Foster City Elementary School District (SMFCSD) as test cases in its investigation.

The Grand Jury reviewed the significant body of research, including the 2016 U.S. Environmental Protection Agency’s (EPA) “Federal Research Action Plan on Recycled Tire Crumb Used on Playing Fields” and other reports. (See Bibliography.) After interviewing local

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school district personnel and collecting data from district offices, the Grand Jury learned that the schools surveyed by the Grand Jury have both grass fields and AT fields made with crumb rubber, some of which are scheduled for replacement. The Grand Jury investigated and compared the costs of grass and crumb rubber fields, and found that the total costs involved in installing and maintaining a crumb rubber field are comparable to or greater than for grass. However, the uncertainty about the toxicity of crumb rubber is of greater concern and should be examined during the decision-making process. The Grand Jury therefore recommends that, when constructing a new field, or replacing an existing one, each school district formalize a process to evaluate the options available, compare the relative pros and cons of each, include public input in such decisions, consider safety as well as cost when making their decisions, and impose a moratorium on the use of crumb rubber until these policies are in place.

GLOSSARY: TYPES OF ATHLETIC FIELD SURFACES

Athletic field surfaces fall into two general categories: natural and artificial. Grass is the classic natural standard for playing fields. Tire-derived field products, as identified by the Consumer Product Safety Commission (CPSC), are one type of artificial turf. These products come in a variety of forms and labels, all of which are manufactured from ground-up scrap tires. The material specifically at issue in this report is “crumb rubber,” which refers to the loose-fill “pellets” that are used as “infill” in AT sports fields.

Installing synthetic or artificial turf (AT) used to refer to replacing grass with what was essentially a green-painted, rough plastic carpet with “blades” designed to look like real blades of grass. AT now contains “infill” material between the blades to soften the surface of the turf and to provide cushioning. These infills may be composed of organic products (see below) or crumb rubber. Crumb rubber is widely used in the synthetic sports field and landscape market. The most popular type of AT infilled with crumb rubber — Fieldturf® — is used extensively in athletic fields and stadiums and generally lasts for eight to ten years.

3 United States EPA, op. cit., p. 151.
Crumb Rubber Infill is a form of TDP and refers to the small “pellets” that fill the spaces between the “grass blades” in artificial turf fields. These pellets can be “enhanced by the addition of metals, chemicals and other materials,” and coated with colorants, sealers, or antimicrobial substances if desired. This form of TDP is the focus of this report and of the ongoing EPA research.

Organic Fill products that utilize organic components include sand, wood chips, natural cork, ground walnut shells, and/or ground fibers from the outside shell of the coconut. These products can be used in playgrounds and landscaping, and can also be used as infill in AT sports fields. GreenPlay® is an example of this product, and Fieldturf® also has a brand that uses organic infill instead of crumb rubber. At replacement time, the organic portions of these products can be separated from the TDP and recycled directly into the environment.

BACKGROUND

In spite of concerns, including those addressed in this report, recycling tires into athletic fields continues as a way to dispose of the four million tons of waste tires generated in the U.S. each year. In 2005, the State of California Department of Resources Recycling and Recovery (CalRecycle) initiated the Tire Grant Program to encourage activities that reduce the disposal of waste tires in landfills. Since then CalRecycle has given more than $40 million in grants to local governmental entities across the state to pay for AT with crumb rubber playing fields in schools and parks.

As communities began to replace their existing playing surfaces with TDP, concern arose about TDP’s potential toxicity, resulting in a number of investigations identifying the presence of lead and other toxins in the rubber products. Communities started to notice reports of cancers in children who used AT fields infilled with crumb rubber. In 2016, the EPA acknowledged that existing studies did not sufficiently evaluate the concerns about health risks from exposure to TDP, and that limited information was available about the chemical safety of recycled tire materials in playing field surfaces. That same year, the EPA launched a comprehensive study...
along with the Centers for Disease Control (CDC), the CPSC and other agencies to investigate these issues and concerns.  

Historically, fields were covered with natural grass. Following the 1966 debut of AstroTurf in the Houston Astrodome, however, artificial surfaces generally became more available and many school districts, as well as cities and counties, opted to use this material based on a variety of assumptions: that it would be cheaper to install than grass, less expensive to maintain, and might mitigate head injury by offering a softer surface for play. In addition, state and local governments have tried to recycle more waste tires by providing funding for playgrounds and athletic fields that utilize recycled tire products. Since the 1960s, approximately 12,000-13,000 AT athletic fields have been installed in the United States, and the rate of installation of AT for landscaping and recreation has generally increased by 10-15% per year, with new AT installations each year totaling between 1,200-1,500. Despite this marked increase in the utilization of AT, there has been little or no conclusive scientific research on its effects.

Both grass and AT fields have their advantages and disadvantages. Grass has to be watered, mowed and fertilized, and gophers present problems. Costs for AT include removal of existing field material, installation of the AT components, prophylactic sprays, and regular maintenance that includes safety testing, replenishment of infill pellets, raking and fluffing.

In the absence of conclusive scientific research, a number of investigations identifying the presence of lead and other toxins in TDP have led to child safety concerns about such products. After playing on crumb rubber and other TDP surfaces, some children have left with blackened hands and faces. TDP has also been suspected of causing other health issues, including cancer. As a result of these and other concerns, school districts and other agencies around the country have begun limiting or banning the use of crumb rubber and other TDP in fields and playgrounds.

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15 Gosk, Monahan and Connor, op.cit.
17 Sherry Posnick Goodwin, op.cit.
18 Gosk, Monahan and Connor, op.cit.
In recognition of these concerns, the Grand Jury investigated the presence of crumb rubber in school fields around the county. The Grand Jury also examined arguments in favor of this form of AT, including how it compared with natural grass in terms of overall costs, maintenance costs, and the potential impact on the environment. How many San Mateo County school fields contain AT with crumb rubber infill? How are school districts addressing concerns about the impact of crumb rubber products on the health and safety of children? Are any school districts considering banning (or at least placing a moratorium on) the use of crumb rubber in light of such concerns, until a definitive study by the EPA or other testing agency is complete?

DISCUSSION

Billions of Waste Tires

Because they are hefty, thick, and made of multiple materials, scrap tires present distinct challenges in recycling and disposal. Unrecycled tire waste is a global problem because of its non-biodegradability, its flammability and its chemical composition that leads to leaching of toxic substances into the ground and hazardous fumes from incineration.

In 2008, it was estimated that approximately 1 billion ELTs (end-of-life tires) were becoming available for recycling globally each year, with an estimated additional 4 billion ELTs already in stockpiles and landfills. World demand for tires is projected to rise 4.7 percent per year to 3 billion units in 2019. The United States, as the largest producer of ELTs, generated approximately 4,038,000 tons of them in 2015, as estimated by the U.S. Rubber Manufacturers Association (RMA). According to the RMA, approximately 25% of scrap tires are used in ground rubber products, with the remainder used in fuels, construction, and other applications. According to the 2013 California Waste Tire Report released in July 2014, ground rubber used in AT fields represented 4.8% of the total "end use universe" for California-generated waste tires.

State and local governments have tried to improve the waste tire situation by funding projects that use recycled tire products. CalRecycle offers the Tire Grant Program to promote markets for recycled-content products.

The California Tire Recycling Act, passed in 1989, requires CalRecycle to manage and regulate waste tires within the state and requires the collection of $1.75 for each new tire purchased in the state. Of the $1.75 per tire collected, $1 is deposited into the Tire Recycling Management Fund for oversight, enforcement, and market development grants related to waste tire management and recycling. One of the grant programs provides funding to certain entities that use TDP made...
from 100 percent California-generated waste tires. These uses generally fall into one of three categories: agricultural/landscape, recreational, or transportation. The recreational category includes the use of TDP in the construction of fields, playgrounds, and running tracks.25

Since the TDP Grant Program began in fiscal year 2005-06, CalRecycle has awarded grants totaling over $40 million to California communities that use materials made from scrap tires.26 Cities and entities in San Mateo County participated in those grants almost from the beginning, including a grant to create a crumb rubber or other AT field at Sandpiper Field, and a Redwood City-maintained field on school property in the Belmont-Redwood Shores School District.27, 28

Statewide, demand for these grants diminished between 2008 and 2010, as schools were especially impacted by the economic downturn and were not constructing or replacing fields. During 2011-2015, however, the requests for grants increased and the program was fully subscribed.29 Thereafter, beginning in 2015-16 through the present, the program has been undersubscribed and requests for TDP grants have decreased, and at least one of the individuals interviewed by the Grand Jury opined that this decrease may be the result of the 2016 State Senate bill (see below) or increasing community awareness. CalRecycle stated that they “will continue to offer these grants for these uses in an effort to divert this material from landfills...unless credible scientific evidence is obtained that would warrant a change in policy.”30

Concerns about Safety

Safety concerns regarding AT are not new, especially to the manufacturers of AT. Concerns for child safety have resulted in a number of investigations identifying the presence of lead and other toxins in recycled rubber products.31 In 2008, the California Attorney General sued AT maker AstroTurf LLC “after testing by the Center for Environmental Health (CEH) found high levels of lead in artificial turf products”.32 In response to that lawsuit, the manufacturer began to reformulate its products.33 In 2009, the parties settled the lawsuit pursuant to a consent judgment

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25 Grand Jury interview with state legislator, January 17, 2017, plus follow-up written reports and emails.
27 Legislative & External Affairs Office, CA Department of Resources Recycling and Recovery (CalRecycle), email correspondence, March 2017. Also reported in Grand Jury Survey of San Mateo County school districts (see Appendix B).
28 Other San Francisco Bay Area cities that received grants to use crumb rubber on their athletic fields include: the City of Dublin, $99,445 for a crumb rubber soccer field at Fallon Sports Park; the City of Fremont, $150,000 for rubber surface on 9 playgrounds, and to convert 2 grass soccer fields to AT; and the City of San Pablo, $125,064 for crumb rubber infill on AT fields at RunMill Sports Park. Laurel Rosenhall, op.cit.
33 Ibid.
which, among other things, required AstroTurf, LLC to drastically reduce the amount of lead in their products.\textsuperscript{34} As stated at the time of the settlement by the executive director of the CEH, “Lead is a stunningly toxic chemical that has no place in playing fields for children.”\textsuperscript{35} The EPA acknowledged that then-existing studies did not sufficiently evaluate the concerns about health risks from exposure to TDP, and in 2016 the EPA, along with the CDC and the Agency for Toxic Substances and Disease Registry (ATSDR), launched a comprehensive study of TDP.\textsuperscript{36} This study is ongoing and has been extended into 2018 in order to complete the new research on crumb rubber. According to the EPA, past studies which indicated few or no safety issues with TDP contained significant “data gaps”.\textsuperscript{37} The 2016 study notes “data gaps ... for locations such as playgrounds and indoor fields, and for studies that examine environmental background levels of tire crumb rubber constituents. Studies on occupational exposures from turf and playground installations were also limited. Metal constituents of tire crumb rubber, such as lead and zinc, have been frequently identified in the literature as constituents of concern, but research on exposures to these metals by field and playground users is limited.”\textsuperscript{38}

At present, other agencies around the country are starting to limit or ban the use of crumb rubber in fields. In 2009, the Los Angeles Unified School District and the City of New York both banned the use of TDP in fields. LAUSD board member Marlene Canter said, “The health of our students is more important than any other issue. You should never equate economics with health. In no way should we be skimping on something like this that could affect our kids.” Kathleen McCowin, a demonstrator who was arrested in 2014 for blocking trucks installing “fake turf” in San Francisco, said, “After our children play on these fields, they blow their nose and it comes out black.”\textsuperscript{39} In January 2015, the Kentucky Energy and Environment Cabinet began redirecting crumb rubber grant allocations to other uses rather than continuing to fund applicants that use crumb rubber infill on playgrounds and athletic fields. In February 2015, Montgomery County, Maryland, the most populous county in the state, approved a ban on TDP in athletic fields and instead required plant-derived materials for infill instead of crumb rubber in future field projects.\textsuperscript{40}

“The common sense concern is that this is just chopped up hazardous waste,” said Jeff Ruch, Executive Director of the Public Employees for Environmental Responsibility (PEER), a national nonprofit that has fought the EPA since 2009 over the federal agency’s endorsement of TDP in playgrounds and sports fields. “The studies that have been done are narrow and mostly funded by the industry or waste bureaus trying to get rid of tires.”\textsuperscript{41}

\textsuperscript{34} Ibid.
\textsuperscript{35} Ibid.
\textsuperscript{36} United States EPA, op.cit., p.6.
\textsuperscript{37} Ibid., p. 15 ff; Laurel Rosenhall, op.cit.
\textsuperscript{38} United States EPA, op.cit., pp.15-16.
\textsuperscript{39} Laurel Rosenhall, op.cit.
\textsuperscript{40} Fact Sheet SB 47, Turf Fields Containing Crumb Rubber from Used Tires, https://d3n8a8pro7vhmx.cloudfront.net/harveymilkclub/pages/128/attachments/original/1426294848/Fact_Sheet_1_-_SB_47_with_supporters.pdf?1426294848
The concerns regarding the potentially harmful effects of crumb rubber have led at least one California state legislator to introduce legislation that would require the State of California to further study the effects of crumb rubber and also impose a statewide moratorium on the use of those products on fields until such studies have been completed. The 2016 bill (which reintroduced an amended version of an earlier 2014 bill) noted that the Office of Environmental Health Hazard Assessment’s 2010 study on tire crumb rubber\textsuperscript{42} in AT fields had reviewed chemical concentrations in the air above the fields and found that eight of the chemicals detected were included in the California Proposition 65 list of chemicals known to the state to cause cancer. Exposure via inhalation to five of these chemicals (benzene, formaldehyde, naphthalene, nitromethane, and styrene) were associated with increased lifetime cancer risks over that which would be expected in the general population. The study found that the highest risk was from nitromethane, and also found that two additional identified chemicals (toluene and benzene) appear on the California Proposition 65 list as developmental/reproductive poisons.\textsuperscript{43}

Environmental groups, lawmakers and health advocates, including the above-mentioned PEER and two former EPA toxicologists\textsuperscript{44} claim that the EPA failed to thoroughly study the health effects of crumb rubber, and that the agency was vested in promoting recycling of the material as a solution to the nation’s growing stockpile of scrap tires. They asked questions about the health risks posed by the contact with, and inhalation of, crumb rubber and the fumes created when it was under extreme heat, and why jurisdictions continued to use crumb rubber despite the continuing concerns about its potential health effects.\textsuperscript{45} In 2010, University of Washington Associate Soccer Coach Amy Griffin joined the discussion when she began compiling a list based on news reports that appeared about soccer, field hockey and football players across the U.S. who had been diagnosed with cancer after playing for years on AT fields with crumb rubber infill.\textsuperscript{46} Griffin’s list now numbers 237 athletes from several sports who have been diagnosed with cancer; and while the list neither qualifies as a “study” nor has direct evidence of links between crumb rubber fields and cancer, it has been widely discussed and has cultivated more concern about the popular use of crumb rubber on playing fields.\textsuperscript{47}

One claimed advantage of crumb rubber infill was that it purportedly provided a softer surface to mitigate head injuries from falls. Studies indicated that the head-injury protection for both grass and AT surfaces depended on the hardness of the surfaces, and that a properly maintained playing surface can help reduce head injury risk.\textsuperscript{48} For both grass and AT, field management

\begin{itemize}
\item \textsuperscript{43} Text of CA SB 47, \textit{California Legislative Information}, Section 1, Article 3. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB47; Grand Jury interview with state legislator, January 17, 2017, plus follow-up written reports and emails.
\item \textsuperscript{44} Melody Gutierrez, op.cit.
\item \textsuperscript{45} Ibid.
\item \textsuperscript{46} Renata Birkenbuel, op.cit.
\item \textsuperscript{47} Ibid. Also see NBC News report: http://www.nbcnews.com/storyline/artificial-turf-debate/congress-asks-epa-if-crumb-rubber-turf-safe-young-athletes-n450551.
\end{itemize}
practices directly affect field hardness and, in turn, the risk of head injury. Reports show that a small amount of crumb rubber remaining in shoes or on clothing after a game adds up and comprises what is referred to as “walk-off” crumb rubber.49 While grass fields need to be aerated and watered, AT fields infilled with crumb rubber require specified maintenance services including regular replacement of the infill pellets that help to soften the field surface. And the more a crumb rubber field is used, the more it requires replenishing.50

The drought also called attention to AT as a way to reduce the need for irrigation. Along with the potential for reduced water needs, however, came a host of unanticipated, but equally significant, issues. For example, research showed that when it does rain, storm water does not get drained and filtered through synthetics as well as through grass, and in some cases an AT field can effectively “kill” the soil beneath it.51 In addition, AT fields experience a “heat-island” problem: natural grass fields get a few degrees hotter than the outside air, but AT fields can get 60 to 70 degrees hotter than the outside air, making these fields potentially dangerous. A maximum surface temperature of 200°F on the Brigham Young University (Utah) AT field was reported, and the University of Missouri reported measuring an air temperature of 138°F at “head-level” height on the university’s AT field on a sunny 98°F day.52 As a result of this “heat-island” effect, athletes can get dehydrated and even suffer heat stroke; small children are at an even higher risk.53 Some AT fields may require irrigation or other cooling methods installed around them, possibly negating any water savings.54

AT also presents its own carbon footprint. In 2006, the Athena Institute conducted a study researching what a school would need to do in order to offset the carbon footprint of an AT field infilled with crumb rubber. The purpose of the study was to estimate the greenhouse gases emitted during the life cycle of such a field compared to a natural grass surface. The study determined that 1,861 coniferous trees would need to be planted to achieve a 10-year carbon-


50 Ibid.


neutral AT installation.\textsuperscript{55} Also of environmental concern is the disposal of crumb-rubber products, including fields, at the end of their 8 to 10 year life expectancy. (See Appendix A.)

Local school district officials who make decisions about field installations and replacements have had to learn about the natural and artificial products available, but the Grand Jury learned that since scientific data is incomplete,\textsuperscript{56} much of their information comes from AT manufacturers and landscapers. The crumb rubber industry understandably maintains that the product is safe, but is aware of the controversy and the continuing scientific studies.

It should be noted that much of the protest about the use of AT with crumb rubber infill, as well as data reports in the media, have focused on the potential cancer risks. It may be wise to cast the net of concern a bit wider and consider health risks and effects other than cancer. School officials should include the public early on in their decision-making process to allow for input and ideas from the wider community and to consider the possibility of unknown future health risks, including what health risks are acceptable to the public and their children who will be playing on these surfaces.

One of the witnesses interviewed by the Grand Jury who has been involved in the removal of his own local school's TDP put it this way: "Lack of evidence is not evidence for safety. How do you declare something safe when the effects of the exposure may not show up for decades?"

\textbf{Cheaper, Or Not? The Ins and Outs of Artificial Turf vs. Grass}

Athletic fields are an integral part of school and community recreation. Planning for them begins long before they are developed, and money must be budgeted for their installation, maintenance and replacement.

According to turf field specialists, typical grass maintenance includes watering, mowing, aeration, fertilizer, seeding, herbicides and insecticides, gopher-hole repairs, drainage repair and eventual replacement.\textsuperscript{57} Initially, freedom from all these tasks and costs was assumed to be one of the benefits of AT, but as AT fields have aged, it is less clear whether they are indeed the easy and economical solution to grass replacement they were perceived to be.\textsuperscript{58} As crumb rubber infill pellets degrade or scatter, they must be replaced, and entire fields may need replacement every 8-10 years. According to SMUHSD staff, crumb rubber AT on a high school field will probably last 7 years and an elementary school field probably 10 years. The concept is similar to carpet or tires: more traffic, more wear. The replaced AT material, as with waste tires, becomes non-

\begin{itemize}
  \item \textsuperscript{56} U. S. EPA, op.cit., p. 1.
  \item \textsuperscript{57} David Millar and Aaron Loan, op.cit.
  \item \textsuperscript{58} Mike Kaszuba, "Schools' sports turf is artificial, but cost concerns are real", \textit{Minneapolis Star Tribune}, October 20, 2012. http://www.startribune.com/schools-sports-turf-is-artificial-but-cost-concerns-are-real/175030471/
\end{itemize}
compostable waste that may require special disposal costs, possibly as hazardous matter. As a result, scrap tires continue to be a vast and expensive disposal problem, from the time they are removed from vehicles to the end of their lives as artificial turf.

The San Mateo County Office of Education reported to the Grand Jury that some school fields and playgrounds are currently planned for upgrade. The Grand Jury learned that these projects are usually financed through existing maintenance funds or through the issuance of bonds, although some school districts have depended on wealthy donors for field costs. The Grand Jury further learned that some school districts prefer grass because they believe that its maintenance is cheaper and easier in the long run. One school official stated that grass has usually been selected for its fields because of concerns about the safety, and the cost, of crumb rubber. According to school superintendents interviewed by the Grand Jury, there is no obvious funding source for San Mateo County school districts to replace field surfaces, and tapping their General Funds would be unlikely.

The Grand Jury also learned that municipalities in other states such as New Jersey and Missouri have experienced disappointing results with their crumb rubber AT field replacements, and taxpayers there have complained that they have been “hoodwinked” by analyses stating that AT fields are cheaper than natural grass. Indeed, some non-partisan studies have shown the exact opposite — that natural grass fields are a bargain compared to AT due to the huge costs to maintain and replace artificial fields after their warranties expire. One of the AT industry’s selling points is that an AT field with crumb rubber infill will last 8 to 10 years, even though the usual warranty runs for only eight. At least 20 AT fields at schools across San Diego County have deteriorated while still under warranty. Yet instead of getting a free replacement, some schools had to pay even more money for another new field.

Planning for Increasing Field Use

One of the major issues currently facing school districts in San Mateo County is the increasing desire for field time from schools and other community groups. Fields are much more in demand than they used to be, and the number of fields is insufficient to meet the demand. As one school official informed the Grand Jury, the county is “built out,” and insufficient real estate remains for new field construction. Currently, SMUHSD fields are used 7 days a week, 16 hours a day during the school year, and some groups are requesting that additional field hours be made available even though the use of such facilities at night would require the additional cost of lighting. One district administrator stated that first and foremost, the fields are for the district’s students, although school officials work with community groups to implement consistent user

61 Ibid.
policies. Because of high demand for school athletic programs, minimal time is available for other groups that also want to use the fields, and some of them are being turned away.

With this growing demand, replacing grass fields with AT seemed like an appealing and simple choice, since grass fields need “down time” between periods of heavy use, and also need to dry out after rain. A 2017 San Mateo City Parks and Recreation document cited “extremely heavy field use” as a justification to propose installation of AT on a local field. The Grand Jury learned that at least one school district and at least four cities in San Mateo County have comprehensive written policies in place for allocating field time to city teams and groups. These policies use a “priority of use” system which prescribes how groups must request the use of field facilities, and written applications are required during specified seasonal booking periods. SMUHSD, which gives school groups priority when booking field time, reported that it is revising its booking guidelines for the tenth time in five years, to ensure that local groups have priority for the remaining limited rental time. The Grand Jury did not receive all the records it requested from the San Mateo Union High School District in regard to this demand issue, but statements from witnesses, the details of District and City field booking policies, and online news and local reporting indicates that field demand is a significant challenge in San Mateo County and other areas.

One witness from a local Parks and Recreation department acknowledged to the Grand Jury that because of high demand, many groups are turned away and often don’t even apply for field time. The witness stated that the desire and need for year-round use is one of main reasons some cities opted for AT fields, but on some of these fields, they deliberately chose not to use crumb rubber infill, and to “err on the side of safety” in case the newer scientific studies indicate a greater degree of exposure to participants.

The school district personnel interviewed by the Grand Jury also indicated that they are looking for a balance between safety concerns and demand issues when making their decisions about building new fields and replacing old ones. Some districts are committed to using grass because of the safety concerns until more scientific studies provide solid evidence one way or the other.

Based on Grand Jury interviews, the school districts used as test cases in this investigation have no comprehensive plan specifically governing the construction or replacement of athletic fields or playgrounds. For small facilities upgrades, district management considers the costs, funding sources, maintenance, and safety concerns. As one school official stated, districts must determine where the biggest demand is, and as money becomes available, the fields that need it most get improved. Another school official stated that a written policy for field construction is unnecessary because their district doesn’t have the fiscal capacity or desire to replace grass with artificial turf. A request to install AT fields would require a number of considerations, including a Board study session and a subsequent bond measure, which taxpayers would have to approve.

64 The Grand Jury reviewed field use policies for the cities of Belmont, Burlingame, Redwood City and San Mateo.
In 2013, citing high demand, heavy use and maintenance issues, the City of San Mateo studied the possibility of using AT on its fields. An extensive public outreach and comment effort was conducted, with more than 100 community members participating. Based upon the site review, assessment of the community's criteria and public comment, Los Prados Park was selected as the first installation, with other parks in line depending on outcome. A review of the report shows that residents were concerned about:

- The ability of their fields to be used by multiple sports and age groups
- The ability to expand the amount of use of their fields
- Reduction in maintenance costs
- Reductions in water use
- Improved safety
- The amount of impact of a new field on other park uses and users
- The amount of impact on the surrounding neighborhood
- The safety and potential toxicity of crumb rubber.

The City of San Mateo decided against using crumb rubber, and the Los Prados project was completed in 2015, using a rubber infill called ethylene propylene diene monomer (EPDM) in combination with a GreenFields® fiber product that claims to be resistant to wear. EPDM infill is a virgin rubber material that is not made from recycled tires. It claims to be durable in all climates and resistant to abrasion and wear.

Since then, the 2016 EPA Report on crumb rubber, referenced in this document, reported on the limits of current research, data gaps and the need for further research before the safety of crumb rubber could be established.

Cost comparisons for installation and maintenance of AT and grass fields

A significant portion of the comparative data that is used in athletic field purchasing decisions is published by AT manufacturers and grass turf installers. Decision-makers in many organizations, including public school districts, have a number of factors to consider when deciding between natural grass and AT. They often look to manufacturers and landscapers for guidance, which may have vested interests in either choice.

In addition to the concerns about safety and toxicity, AT versus grass is a debate about money, high traffic and demand for field time. AT fields with crumb rubber infill require regular specialized maintenance to keep them in good condition, and so do grass fields. In the long term, grass may be a comparable or even cheaper solution. Some field experts recommend that

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68 Sports Turf Managers Association, “Natural Grass Athletic Fields”.
Grass fields be maintained by a specialized sports field manager who can produce the best grass field possible for the lowest cost. Grass field managers work closely with school athletic departments to maintain their fields year-round. All these factors must be analyzed with regard to the specific location being considered.

According to a survey conducted by the Grand Jury, all of the AT fields in San Mateo County school districts are made with crumb rubber infill (see Appendix B). Of the 192 fields, 163 are grass and 29 are AT with crumb rubber infill. For reference purposes in this report, the size of one regulation-size soccer field is approximately 70,000 square feet: 110-120 yards long by 70-80 yards wide, a few yards larger than a football field. Crumb rubber surfacing is also often used on sidelines, tracks and other surrounding areas.

The Grand Jury investigated the comparative costs, as of May 2017, of crumb rubber AT and grass fields to provide information for the school districts. That information is detailed below. However, cost is only one factor in the decision. The Grand Jury strongly recommends that school districts consider the unknown and potentially toxic effects to humans from using fields infilled with crumb rubber.

**Artificial Turf Cost Details**

According to school district officials at SMUHSD, the following preventive maintenance services must be performed regularly on each AT field with crumb rubber infill:

- Machine brushing, raking and “fluffing” every 4-6 weeks
- Sweeping, done quickly, before any debris on the field works its way into the infill
- Aerating: 3 times per year after the second year
- Adding crumb rubber infill to high-use areas as needed (must be checked periodically)
- Application of anti-fungal/anti-bacterial sprays because of athlete’s foot or other contamination
- G-max testing, essential to ensure that the AT fields are safe to play on, must be done on each field annually.

In addition to the above services, the manufacturer also recommends two Advanced Care maintenance services per year to be performed by an approved and certified maintenance partner, which include:


70 Synthetic Turf Council, Glossary of Terms: A field’s level of shock absorbency is tested by using a unit of measurement called the g-max, where one “g” represents a single unit of gravity. The peak acceleration reached upon impact of two objects, such as a football player and the synthetic turf surface, is the maximum number of g’s a field is able to absorb. A field with a higher g-max level loses its ability to absorb the force, and places more impact on the athlete during a collision, while a surface with a lower g-max absorbs more force, lessening the impact to the athlete. Using ASTM F1936 test method, g-max readings shall not exceed 200 at each test point. With proper maintenance, a synthetic turf field should have a g-max of well below 200. The g-max guideline in the STC’s Guidelines for Synthetic Turf Performance is “below 165” for the life of the synthetic turf field. http://www.syntheticturfcouncil.org/page/Glossary
- Deep field de-compaction
- Magnet sweep for metal debris
- Rotary brushing to raise turf fibers and to collect any contaminated infill
- Cleaned infill is then re-distributed back into the field using a power brush and vacuum
- Vacuuming to remove fine dust and debris from the field surface
- Multiple infill depth measurements to verify surface planarity
- Minor warranted seam and inlay repairs
- Addition of light infill to high traffic areas
- Power-cleaning the field perimeter.

SMUHSD’s annual cost for these services is $63,600 for their 6 crumb rubber fields, or $10,600 per field. This does not include the cost of district staff spreading the crumb rubber pellets twice a month as part of maintaining the facilities. The district owns the machines that spread the pellets. If the underlayment, or “carpet,” unravels or tears, repair is an additional cost; replacement costs $700,000 per field.

This maintenance is not optional. The Grand Jury learned that one city in the county has been discussing the need for replacement of some of their AT fields. Officials there stated that turf fields can last ten or more years if they are properly maintained. However, two of their fields were opened in April 2010, but “due to high use and insufficient maintenance they were nearing the end of their useful life.”

**Natural Grass Cost Details**

Natural grass field costs include initial installation, maintenance labor and materials, equipment, irrigation, and renovation/resurfacing as needed.

Typical grass maintenance may include watering, mowing, aeration, fertilizing, seeding, application of herbicides and insecticides, gopher-hole repairs, drainage repair and eventual replacement. SMFCSD, with 20 grass fields, uses a landscaping company to provide mowing and maintenance services, at an annual cost to that district of $57,000, or $2,850 for each grass field.

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71 Burlingame City Council Meeting Minutes, April 17, 2017, pp. 5-16, offer a city’s perspective on the subject of artificial turf installation, maintenance and replacement, as well as the issue of high demand for field time. Costs are comparable to other evidence obtained by the Grand Jury. http://burlingameca.granicus.com/MediaPlayer.php?view_id=3&clip_id=500#
Comparison of the total costs, as of May 2017, for an AT crumb rubber field and a grass field:

Cost Summary per AT crumb rubber field: (SMUHSD figures)

Artificial turf field total costs: $2.5 million - $3.7 million
- Maintenance: approximately $10,600 per year, per field

Cost Summary per grass field: (SMFCSD figures)

Natural grass field total costs: $2.0 million - $2.5 million
- Maintenance: approximately $2,850 per year, per field

For reference purposes, the Grand Jury collected cost comparisons for natural grass and crumb rubber field installations from the Sports Turf Manager’s Association (STMA), whose figures generally conform to installation costs for San Mateo County schools as reported to the Grand Jury. STMA estimates that the costs for an AT field infilled with crumb rubber range from 93% to 110% of the costs for a natural grass installation that includes sand and drainage.73

TDP Use in San Mateo County

In light of the concerns raised in this report, the Grand Jury investigated TDP use in San Mateo County. Using interviews and a survey, the Grand Jury investigation focused on the athletic fields in the county’s 23 school districts. (Although outside the purview of this report, San Mateo County also has dozens of public parks, some of which are AT with crumb rubber infill. Site visits were made at eight City of San Mateo and Foster City public facilities, during which nine AT fields and five grass fields were identified.)

The 23 San Mateo County school districts have 192 fields, serving 172 schools and 95,000 students. The San Mateo Union High School District (SMUHSD) and the San Mateo-Foster City Elementary School District (SMFCSD) were used as test examples in the Grand Jury’s investigation. The Grand Jury interviewed school district personnel and obtained specific data on the construction, use and maintenance of the fields in these two districts. The Grand Jury also surveyed all 23 districts to obtain information about the rest of the county’s school athletic facilities, specifically the types of fields and how many of them would need replacement within the next five years. (See Appendix B for the survey results.)

All 23 school districts responded to the survey. The report indicated that of the 192 fields, 163 are grass and 29 are crumb rubber. Of the 23 districts, 16 have fields that are scheduled for replacement within the next five years. Of these, 14 stated that they planned to seek public input during the decision-making phase.

72 Costs for an AT field infilled with crumb rubber vary depending on how much material is used. At some fields, a surrounding crumb rubber track is included, and the crumb rubber area may be extended into the sidelines or other surrounding areas.
73 Sports Turf Manager’s Association, op.cit., p. 5.
In 2013, the City of San Mateo initiated its “Synthetic Turf Study,” mentioned above, to solicit public comment concerning a proposal to replace five grass fields with AT. In planning the approach to this study, a high priority was to ensure that there was a robust opportunity for community members to participate in the process. Key to this public engagement was the establishment of a Community Advisory Committee. The make-up of this committee was intentionally diverse, to represent field users, neighborhood interests, and general community members.74 The Grand Jury recommends that before San Mateo County school districts begin planning the construction or replacement of a field, they use the City of San Mateo’s process as an example and initiate similar studies to assess public opinion, using post cards, email, website comment, community workshops and capture surveys to notify, solicit and collect this input.

Into the Future

San Mateo County school districts currently have a mix of grass fields and AT fields infilled with crumb rubber. County school districts are under pressure to make their fields available more often than in the past to school and community groups who all want time for sports and other activities. District personnel are aware of the pros and cons of natural and artificial field materials, and must make decisions based on conflicting reports and incomplete scientific and industry-sponsored studies.

Despite the conflicting evidence and opinions regarding the health and environmental dangers of crumb rubber, some communities have opted to enact a temporary ban on crumb rubber fields out of caution on the grounds that future studies might uncover dangerous effects. For example, in December 2015, the city of Edmonds, Washington approved an 18-month moratorium on installing any new AT fields made with crumb rubber infill from recycled tires. The city council enacted the moratorium after residents protested the local school district’s plans to remove the aging grass field at a school campus and replace it with AT. A city official said construction of the school field was already under way when residents learned it would have crumb rubber infill, and so workers completed the project before protests could halt construction. Because of the community outcry, he said, other fields that were scheduled to get similar upgrades will not, at least during the 18-month moratorium.75

San Mateo County School Districts should be concerned about the impact of crumb rubber on the health and safety of their students and student-athletes as well as for county residents generally. Should the districts consider putting a similar moratorium on its use? This question and the other issues raised in this report should be discussed thoroughly by residents as part of each school district’s open process in considering field installation and replacement projects.

Considering the cost and maintenance of both crumb rubber AT and grass fields, grass may still be a wise choice. The sod industry has developed grass varieties that hold up better and longer than those normally used for fields. Grass sports fields take considerable abuse and need dense,

thick sod to withstand impact and recover quickly. Many of the new athletics grasses are seeded mixtures that get the most coverage for the longest period of time. They are selected based on their ability to withstand traffic wear and tear and stress from drought and heat; their recovery from field use ("recuperative ability"); good color; desirable growth characteristics; resistance to insects, weeds and diseases; and their maintenance requirements.

The same sensible and practical criteria would have to apply to any of the field surface options: Is it safe for humans and animals to play on, will it hold up to heavy use, and will it thrive with reasonable maintenance?

Like many communities in the U.S. and around the world, San Mateo County residents and officials will have to make choices and find a balance to provide residents with recreational facilities while helping to keep them safe.

FINDINGS

F1. Of the 23 San Mateo County school districts, the following 16 reported to have fields that will require replacement in the next 5 years:

- Bayshore Elementary School District
- Belmont-Redwood Shores School District
- Brisbane School District
- Burlingame School District
- Cabrillo Unified School District
- Hillsborough City School District
- Jefferson Elementary School District
- Jefferson Union High School District
- Las Lomitas Elementary School District
- Millbrae School District
- Portola Valley School District
- Redwood City School District
- San Carlos School District
- San Mateo Union High School District
- Sequoia Union High School District
- South San Francisco Unified School District

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F2. The total installation costs for each artificial turf field infilled with crumb rubber equal approximately $2.5 million - $3.7 million; the total installation costs for each natural grass field are approximately $2.0 million - $2.5 million. The annual maintenance costs for each artificial turf field infilled with crumb rubber equal approximately $10,600 per field, per year; the annual maintenance costs for each grass field equal approximately $2850 per field, per year.

F3. High demand for field use by schools and community groups is one reason why some school districts favor the installation of artificial turf fields instead of grass.

F4. According to the U.S. Environmental Protection Agency, “studies to date have not shown an elevated health risk from playing on fields with tire crumb rubber, but these studies have limitations and do not comprehensively evaluate the concerns about health risks from exposure to tire crumb rubber.”

F5. The San Mateo County Office of Education reported that it is the responsibility of each school district’s Board of Trustees and Superintendent to develop policies regarding the issue of athletic field installation or replacement.

F6. The San Mateo-Foster City School District and the San Mateo Union High School District have written policies regarding school construction and renovations, but neither has written guidelines or policies governing the decision-making process for constructing or replacing athletic fields.

RECOMMENDATIONS

The San Mateo County Grand Jury recommends that each San Mateo County School District shall:

R1. Produce written guidelines for the decision-making process involved in field installation and replacement, which shall include the following:

R1a: Consider the uncertainty regarding the safety of tire-derived products used on school fields, particularly crumb rubber.

R1b: Evaluate and make their decisions on policy development and field replacements based on current scientific evidence regarding the use of crumb rubber on athletic fields as it becomes available, whether or not the EPA report is complete.

R1c: Undertake measures to increase community involvement during the field replacement evaluation process, including discussion regarding potential concerns about the safety of crumb rubber or other tire-derived products. This could be similar to the 2013 City of San Mateo study regarding the possibility of using artificial turf on its fields, which included extensive public outreach for comment, using post cards, email, website comment, community workshops and capture surveys to solicit and collect public input.
R2. Consider (among other factors) the following when selecting materials for their athletic fields and playgrounds:

1. Safety to humans and animals
2. Suitability based upon the location’s intended use and frequency of use
3. Cost (of installation and lifecycle requirements) and manufacturer warranty.

R3. Impose a moratorium on the utilization of artificial turf with crumb rubber infill until the Environmental Protection Agency concludes its study or until all the policies listed above have been implemented.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following governing bodies:

- Bayshore Elementary School District
- Belmont-Redwood Shores School District
- Brisbane School District
- Burlingame School District
- Cabrillo Unified School District
- Hillsborough City School District
- Jefferson Elementary School District
- Jefferson Union High School District
- La Honda-Pescadero Unified School District
- Las Lomitas Elementary School District
- Menlo Park City School District
- Millbrae School District
- Pacifica School District
- Portola Valley School District
- Ravenswood City School District
- Redwood City School District
• San Bruno Park School District
• San Carlos School District
• San Mateo Union High School District
• San Mateo-Foster City School District
• Sequoia Union High School District
• South San Francisco Unified School District
• Woodside Elementary School District

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

METHODOLOGY

Interviews

The Grand Jury interviewed a number of individuals in the San Mateo County Office of Education, the San Mateo Union High School District, the San Mateo-Foster City School District and the San Mateo County School Insurance Group (SMCSIG). We also interviewed and gathered data from a California state legislator’s office. Communications with other cities in San Mateo County and other counties and communities in California who are also concerned with the TDP issue provided us with additional data and perspective. We also viewed a video-recorded San Carlos School Board meeting with speakers from the artificial turf industry, and concerned parents, some of whom had done extensive research on their own.

Documents

• CA State Senate Bill 47, 2016
• The 2016 Federal Research Action Plan on Recycled Tire Crumb Used on Playing Fields and Playgrounds
• Survey sent by the Grand Jury to all San Mateo County School Districts, March 22, 2017, and its results
• 2013 City of San Mateo Synthetic Turf Study Community Feedback Results
• City of Belmont Athletic Field Use Policy
• City of Burlingame Athletic Field Use Policy
• City of Redwood City Athletic Field Use Policy
• City of San Mateo Athletic Field Use Policy
• San Mateo Union High School District Guidelines for Booking SMUHSD Fields
BIBLIOGRAPHY


http://www.calrecycle.ca.gov/Tires/Products/Feedstock/default.htm.


City of San Mateo. “Synthetic Turf Study Community Feedback Results”. 2013.
http://www.cityofsanmateo.org/documentcenter/view/38060


Cornell University. Sports Field Management.
http://safesportsfields.cals.cornell.edu/grasses-for-sports-fields.


Grand Jury interview with state legislator. January 17, 2017. Also follow-up written reports and emails.


Recycling crumb rubber infill is much more costly than disposal due to the comparatively high cost of separating and cleaning infill and turf materials, and transporting them to processors and end-users. In 2015, CalRecycle hired a consulting team to investigate the recycling of playground surfaces made with crumb rubber at the end of their useful life. However, no information sources on this topic were identified and the reporting consultant could not find any specific examples of rubberized playground surfaces being recycled.\(^{78}\) According to an AT installation and removal expert, a typical soccer or football field consists of approximately 600,000 pounds of TDP material. In 2011, 180 AT fields were removed in the U.S., and 90 percent of those went into a landfill. By 2018, it is estimated that more than 1,000 fields will need to be replaced every year, for decades to come. This means that each year nearly 100 million square feet of turf and half a billion pounds of sand and crumb rubber infill will need to be disposed of, either by separating and repurposing the components or by dumping them in a landfill.\(^{79}\)

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# APPENDIX B

## San Mateo County School Districts: Athletic Fields Survey Results, March 2017

<table>
<thead>
<tr>
<th>District</th>
<th>City</th>
<th>No. of Fields</th>
<th>Material(s) Used</th>
<th>Replacement planned?</th>
<th>If yes, what?</th>
<th>Public/parent input?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bayshore</td>
<td>Daly City</td>
<td>1</td>
<td>Grass</td>
<td>Yes</td>
<td>Artificial turf</td>
<td>No</td>
</tr>
<tr>
<td>Belmont-</td>
<td>Belmont</td>
<td>7</td>
<td>6 grass, 1 crumb rubber (Sandpiper)</td>
<td>Sandpiper, 2017</td>
<td>Artificial turf, cork or TPE*</td>
<td>Will be RC’s decision</td>
</tr>
<tr>
<td>Redwood Shores</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brisbane</td>
<td>Brisbane</td>
<td>2</td>
<td>Grass</td>
<td>Yes</td>
<td>Artificial turf</td>
<td>Yes, has been ongoing</td>
</tr>
<tr>
<td>Burlingame</td>
<td>Burlingame</td>
<td>4</td>
<td>2 grass, 2 crumb rubber</td>
<td>Yes</td>
<td>Artificial turf w/organic infill</td>
<td>All construction noted &amp; discussed at public board meetings</td>
</tr>
<tr>
<td>Cabrillo</td>
<td>Half Moon Bay</td>
<td>8</td>
<td>5 grass, 3 crumb rubber</td>
<td>Yes, 2017</td>
<td>Replace 1 crumb rubber field with cork</td>
<td>Yes</td>
</tr>
<tr>
<td>Hillsborough</td>
<td>Hillsborough</td>
<td>5</td>
<td>Grass</td>
<td>Yes; one, for renovation</td>
<td>Grass</td>
<td>Yes, multiple during planning phase</td>
</tr>
<tr>
<td>Jefferson Elem.</td>
<td>Daly City</td>
<td>13</td>
<td>12 grass, 1 crumb rubber</td>
<td>Yes, the AT field in near future</td>
<td>Suitable alternative to crumb rubber</td>
<td>Yes, at open Board meeting</td>
</tr>
<tr>
<td>Jefferson UHS</td>
<td>Daly City</td>
<td>4</td>
<td>Crumb rubber</td>
<td>Yes, 2</td>
<td>Cork or material other than crumb rubber</td>
<td>Yes</td>
</tr>
<tr>
<td>La Honda-Pescadero</td>
<td>Pescadero</td>
<td>3</td>
<td>Grass</td>
<td>No</td>
<td></td>
<td>Will seek input if replacement needed</td>
</tr>
<tr>
<td>Las Lomitas</td>
<td>Menlo Park</td>
<td>2</td>
<td>Grass</td>
<td>Possibly</td>
<td>No discussion yet</td>
<td>No discussion yet</td>
</tr>
<tr>
<td>Menlo Park</td>
<td>Atherton</td>
<td>5</td>
<td>4 grass, 1 crumb rubber</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Millbrae</td>
<td>Millbrae</td>
<td>10</td>
<td>Grass</td>
<td>Yes (playground)</td>
<td></td>
<td>Yes, during facilities committee meetings</td>
</tr>
<tr>
<td>Pacifica</td>
<td>Pacifica</td>
<td>6</td>
<td>Grass</td>
<td>Nothing scheduled at this time</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portola Valley</td>
<td>Portola Valley</td>
<td>2</td>
<td>Grass</td>
<td>Yes, both</td>
<td>Grass or artificial turf</td>
<td>Yes</td>
</tr>
<tr>
<td>Ravenswood</td>
<td>E. Palo Alto</td>
<td>3</td>
<td>Grass</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>District</td>
<td>City</td>
<td>No. of Fields</td>
<td>Material(s) Used</td>
<td>Replacement planned?</td>
<td>If yes, what?</td>
<td>Public/parent input?</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>----------------</td>
<td>---------------</td>
<td>------------------------</td>
<td>-------------------------------------------</td>
<td>----------------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Redwood City</td>
<td>Redwood City</td>
<td>12</td>
<td>10 grass, 2 crumb rubber</td>
<td>Yes, Hoover field in 2 years</td>
<td>CoolPlay® or TPE®</td>
<td>Yes, at Board or City Council meetings</td>
</tr>
<tr>
<td>San Bruno</td>
<td>San Bruno</td>
<td>2</td>
<td>Crumb rubber</td>
<td>No</td>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>San Carlos</td>
<td>San Carlos</td>
<td>5</td>
<td>Grass</td>
<td>Yes, 2 new fields</td>
<td>Anything but crumb rubber, per commitment</td>
<td>Yes, have been for 2 years</td>
</tr>
<tr>
<td>San Mateo Union</td>
<td>San Mateo</td>
<td>20</td>
<td>14 grass, 6 crumb rubber</td>
<td>Yes</td>
<td>Crumb rubber or grass</td>
<td></td>
</tr>
<tr>
<td>San Mateo-Foster City</td>
<td>Foster City</td>
<td>20</td>
<td>Grass</td>
<td>No. Grass only on new FC school.</td>
<td>Grass</td>
<td>Yes</td>
</tr>
<tr>
<td>Sequoia</td>
<td>Redwood City</td>
<td>13</td>
<td>8 grass, 5 crumb rubber</td>
<td>Yes</td>
<td>Crumb rubber</td>
<td>Fields already designed and in final approval</td>
</tr>
<tr>
<td>South SF</td>
<td>South SF</td>
<td>42</td>
<td>40 grass, 2 crumb rubber</td>
<td>Yes</td>
<td>Grass or crumb rubber</td>
<td>Yes, public Board meeting</td>
</tr>
<tr>
<td>Woodside</td>
<td>Woodside</td>
<td>3</td>
<td>Grass</td>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>192</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* CoolPlay®; FieldTurf® cork infill
* TPE: thermoplastic elastomers

Issued: July 10, 2017

2016-2017 San Mateo County Civil Grand Jury
August 30, 2017

To: San Mateo County Board of Education

From: Anne E. Campbell, County Superintendent of Schools

Subject: Update on Board Member Visits to Local Governing Boards

At the September 6, 2017, Board Meeting I will provide an update on the status of scheduling Board Member visits to the local Governing Boards and answer any questions the Board may have.

Forward to the Board:

Anne E. Campbell, County Superintendent of Schools
August 30, 2017

To: San Mateo County Board of Education

From: Anne E. Campbell, County Superintendent of Schools

Subject: Support for Assembly Joint Resolution 7 (AJR7) Internet: Net Neutrality: Access (Assembly Member Mullin)

At the August 16, 2017, Board Meeting discussion took place regarding the Digital Divide. I now bring information to the Board about legislation from Assemblymember Kevin Mullin about net neutrality for the Board’s information and discussion.

Forward to the Board:

Anne E. Campbell, County Superintendent of Schools
August 25, 2017

The Honorable Kevin Mullin
California State Assembly
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0022

Dear Assemblymember Mullin:

We are writing on behalf of the San Mateo County Office of Education (SMCOE) and the San Mateo County Board of Education to express support for Assembly Joint Resolution 7 (AJR-7).

The SMCOE and Board of Education are committed to fostering excellence and equity in education for all students. Key to these efforts and to bridging the digital divide is affordable and reliable internet access for schools, libraries, and students.

AJR-7 urges the President and Congress to continue to protect 1) net neutrality and open internet access, 2) the E-rate program, which provides discounted telecommunication and Internet access to schools and libraries, and 3) the Lifeline program, which offers discounted Internet access to low-income customers. All three of these initiatives are important to our education efforts in the County and to ensuring equal access to learning for all of our students.

We cannot afford to move backward by denying our schools reliable and affordable access to digital resources and programs or making it even harder for low-income students to access the Internet, complete online assignments, and prepare for the future.

Thank you for your leadership on this important education issue.

Sincerely,

Anne E. Campbell
Superintendent of Schools
San Mateo County

Joe Ross
President
San Mateo County Board of Education
Assembly Joint Resolution No. 7

Introduced by Assembly Member Mullin
(Coauthors: Assembly Members Aguiar-Curry, Arambula, Berman, Bloom, Bocanegra, Burke, Caballero, Calderon, Chau, Chiu, Chu, Cooper, Daly, Eggman, Frazier, Friedman, Cristina Garcia, Eduardo Garcia, Gipson, Gloria, Gomez, Gonzalez Fletcher, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Levine, Limón, Low, McCarty, Medina, Muratsuchi, Quirk, Quirk-Silva, Reyes, Rodriguez, Rubio, Salas, Mark Stone, Thurmond, Ting, Weber, and Wood)

March 20, 2017

Assembly Joint Resolution No. 7—Relative to the Internet.

LEGISLATIVE COUNSEL’S DIGEST

AJR 7, as amended, Mullin. Internet: net neutrality: access.
This measure would declare that the Legislature strongly supports, and would respectfully urge the President of the United States and Members of the United States Congress to continue to protect, net neutrality, open Internet access, the federal Lifeline program’s discounted telephone service for qualifying low-income consumers, and the E-rate program’s discounted telecommunication and Internet access services for schools and libraries. The measure would declare that the Legislature views these as high priorities for California and the country, and opposes any federal efforts to rescind or block them.
WHEREAS, High-speed Internet access service, referred to generically as "broadband advanced communication services," including both wired and wireless technologies, is essential in the 21st century for economic competitiveness and quality of life; and

WHEREAS, Broadband infrastructure is vital to the operation and management of other critical infrastructures, including energy generation systems, the power grid, water supply systems, smart cities, the Internet of Things, public safety and emergency response systems, medical facilities, educational institutions, and libraries; and

WHEREAS, Studies confirm that the use of broadband advanced communication services increases economic productivity, public and private organizational operation efficiency, and enhanced business profitability; and

WHEREAS, The provision and maintenance of equitable access to technology, broadband Internet access services, digital content, and classroom management tools are necessary for all students, teachers, and school administrators in California, including those in rural and other unserved and underserved areas, in order to provide equal educational resources to all students at all education levels; and

WHEREAS, The Federal Communications Commission (FCC) adopted open Internet rules on February 26, 2015, to protect free expression and innovation on the Internet and to promote investment in the nation's broadband networks; and

WHEREAS, Those open Internet rules ensure that consumers and businesses have access to a fast, fair, and open Internet by imposing three bright-line rules: (1) Broadband providers shall not block access to lawful content, applications, services, or nonharmful devices; (2) Broadband providers shall not impair or degrade lawful Internet traffic on the basis of content, application, or service, or use of a nonharmful device; and (3) Broadband providers shall not favor some lawful Internet traffic over other lawful Internet traffic in exchange for consideration of any kind; and

WHEREAS, Because the Internet must be a place in which companies, large and small, as well as individual developers, can compete on a level playing field, the State of California supports
net neutrality as a principle that underpins a fast, fair, and open Internet for consumers and businesses to ensure equal access to lawful content by prohibiting paid prioritization, throttling, and blocking; and
WHEREAS, The federal Lifeline program provides a discount on telephone service to qualifying low-income consumers in every state, territory, commonwealth, and Tribal land, and ensures that all Americans have the opportunities and security that telephone service provides, including connecting to jobs, family, and emergency services; and
WHEREAS, On March 31, 2016, the FCC adopted a comprehensive reform and modernization of the federal Lifeline program by including broadband Internet access service as a support service in the federal Lifeline program and established a federal Lifeline National Eligibility Verifier to make independent subscriber eligibility determinations; and
WHEREAS, Federal Lifeline program moneys should be dedicated solely to the purposes established by Congress and the FCC, and diverting those moneys to pay for other programs through the imposition of state taxes, fees, or surcharges, directly or indirectly, surcharges on federal Lifeline program benefits or connections should be prohibited; and
WHEREAS, Established as a part of the federal Telecommunications Act of 1996, the FCC’s E-rate program provides discounts on telecommunication and Internet access services to schools and libraries, based on poverty level; now, therefore, be it
Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature strongly supports each of the above positions, initiatives, and programs, views them as high priorities for California and the country, and opposes any federal efforts to rescind or block them; and be it further
Resolved, That the Legislature respectfully urges the President of the United States and Members of the United States Congress to continue to protect net neutrality, open Internet access, the federal Lifeline program’s discounted telephone service for qualifying low-income consumers, and the E-rate program’s discounted telecommunication and Internet access services for schools and libraries; and be it further
Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.
August 30, 2017

To: San Mateo County Board of Education

From: Anne E. Campbell, County Superintendent of Schools

Subject: Establishing the Ad Hoc Planning Committee of the 10th Anniversary of Zap the Gap

Planning for 10th Anniversary of Zap the Gap will commence prior to January 2018 when Board Committee Assignments are usually made.

The Board may choose to participate in the planning and establish an Ad Hoc Committee as well as choose three members who will participate in the planning of this event.

Approved and Recommended to the Board:

Anne E. Campbell, County Superintendent of Schools
August 30, 2017

To: San Mateo County Board of Education

From: Anne E. Campbell
San Mateo County Superintendent of Schools

Subject: Board of Education Appointment to the Personnel Commission

On December 1, 2017, the Board Representative’s term on the Personnel Commission will expire.

In accordance with Education Code 45246, on or around September 30, 2017, the Board of Education must publicly announce the name of the person it intends to appoint or reappoint. After 30 and within 45 days of the public announcement of its candidate, the Board of Education in open session shall provide the public, employees, and the employee organizations the opportunity to express their views on the qualifications of the person recommended by the Board for appointment.

I will be present, along with Administrator, Personnel Commission Services, Franklin Felizardo, to answer any questions the Board may have.

Forward to the Board:

Anne E. Campbell, County Superintendent of Schools

C: Collective Bargaining Unit Representatives
PERSONNEL COMMISSION APPOINTMENT PROCEDURES

CLASSIFIED EMPLOYEES ORGANIZATION APPOINTMENT

- Personnel Director notifies Board and Classified organization of commissioner whose term is expiring
- Notice will include name of appointing authority and procedures to be followed

Sept. 1st

- Classified employee organization submit name of nominee to Board. The Board shall appoint the nominee
- In the event of no nominee, Personnel Director may recommend an emergency appointment of no longer than 60 days

Nov. 1st

- Dec 1 at noon: Commencement/Expiration of the term
- Signature of oath

Dec. 1st

BOARD OF EDUCATION APPOINTMENT

- Personnel Director notifies Board and Classified organization of commissioner whose term is expiring
- Notice will include name of appointing authority and procedures to be followed

Sept. 1st

- Board of Education publicly announce the name of the person it intends to appoint or reappoint

Sept. 30th

- At a board meeting held after 30 days but within 45 days of the announcement, the Board will hold a public hearing

Oct 30th - Nov 15th

COMMISSION APPOINTMENT

- The appointee of the Board and the classified employees shall publicly announce the name of the person they intend to appoint or reappoint

Sept 30th

- At a Commission meeting held after 30 days of the announcement, the Commission will hold a public hearing

Dec 30th

- If the appointee of the Board and the classified employees are unable to agree upon a nomination by Sept 30th, the California State Superintendent of Public Instruction shall make the appointment within 30 days.
PERTINENT EDUCATION CODE AND MERIT RULES

Merit Rules Chapter 20.2  Commission Appointment Procedures

On or about September 1st of each year, the Personnel Director shall notify the Board and the recognized classified employee organizations of the name and the home address of the commissioner whose term is expiring, and whether or not the commissioner will accept reappointment for another three -year term. The notification will also provide the name of the appointing authority, and the procedures to be followed in filling the upcoming vacancy.

A. Appointee of the Board of Education: By September 30th the Board of Education shall publicly announce the name of the person it intends to appoint or reappoint. At a board meeting to be held after 30 and within 45 days of the date the Board publicly announces its candidate, the Board of Education shall hold a public hearing to provide the public, employees, and the employee organizations the opportunity to express their views on the qualifications of the person recommended by the Board for reappointment. The Board at that time may make its appointment, or make a substitute appointment or recommendation without further notification or public hearing.

B. Appointee of the Classified Employees: By November 1st the classified employee organization having the authority to nominate the classified employee’s appointee to the Commission shall submit to the Board the name of the person it wishes to appoint to the Commission. The Board shall appoint the nominee unless the classified employees voluntarily withdraw the name of the nominee and submit the name of a new nominee. In the latter case, the Board shall then appoint the new nominee.

1. In the event that the classified employees of the County Office are represented by more than one employee organization, the employee organization which represents the largest number of classified staff shall be the one authorized to submit the recommended appointment to the Board for action as required by these rules and regulations.

2. In the event that a vacancy is created on the Personnel Commission because of the classified employees’ failure to agree on a nominee, the Board of Education, upon the recommendation of the Personnel Director, may make an emergency appointment until such time as a permanent appointment can be made, but not to exceed sixty (60) days. (Education Code Sections 45246 and 45248)

C. Appointee of the Commission: By September 30, the appointee of the Board, and the appointee of the classified employees shall publicly announce the name of the person they intend to appoint or reappoint. The Commission at that time may make its appointment. At the next regularly scheduled meeting of the Personnel Commission to be held after 30 days from the day the intended appointee is announced, the appointee of the Board of Education, and the appointee of the classified employees shall, in open hearing, provide the public, employees and employee representative groups an opportunity to
express their views on the qualifications of the candidate recommended for the vacancy. The candidate shall be invited to this meeting. The Commission at that time may make its appointment.

1. If the Commissioner appointed by the Board and the Commissioner appointed by the classified employees are unable to agree upon a nomination by September 30, the California State Superintendent of Public Instruction shall make the appointment within 30 days.

**California Education Code 45244 - 45248**

**45244**

(a) To be eligible for appointment or reappointment to the commission a person shall meet both of the following requirements:

1. Be a registered voter and resident within the territorial jurisdiction of the school district.

2. Be a known adherent to the principle of the merit system. No member of the governing board of any school district or a county board of education shall be eligible for appointment, reappointment, or continuance as a member of the commission. During his or her term of service, a member of the commission shall not be an employee of the school district.

(b) As used in this section, residence is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one residence.

(c) As used in this section, "known adherent to the principle of the merit system," with respect to a new appointee, means a person who by the nature of his or her prior public or private service has given evidence that he or she supports the concept of employment, continuance in employment, in-service promotional opportunities, and other related matters on the basis of merit and fitness. As used in this section, "known adherent to the principle of the merit system," with respect to a candidate for reappointment, means a commissioner who has clearly demonstrated through meeting attendance and actions that he or she does, in fact, support the merit system and its operation.
One member of the personnel commission shall be appointed by the governing board of the district and one member, nominated by the classified employees of the district, shall be appointed by the governing board of the district. Those two members shall, in turn, appoint the third member.

As used in this section, "classified employees" shall mean an exclusive representative which represents the largest number of noncertificated employees in a unit or units within the district. If there is no exclusive representative within the district, the governing board shall, by written rule, prescribe the method by which the recommendation is to be made by its classified employees.

(a) Within 30 days after adoption of the system, the governing board shall publicly announce its intended appointee or appointees, as appropriate, and the appointee or appointees, as appropriate, nominated by its classified employees. As soon after their appointment as practicable but within 30 days, the appointed members shall announce their intended appointee for the third member.

They may consider the recommendations of the governing board, the classified employees, or other concerned citizens. If these members do not announce their intended appointee within the 30-day period, the Superintendent of Public Instruction shall make the appointment.

"Adoption of the system" means, in the case of Section 45221, the day on which a successful election is certified to the governing board or, in the case of Section 45224, the day the governing board approves a motion, order, or resolution to adopt the system regardless of the date specified for operational commencement of the system.

(b) Where a system is already in existence and a vacancy will exist on December 1, by not later than September 30:

(1) The governing board shall publicly announce the name of the person it intends to appoint or reappoint, if the vacancy is its appointee.

(2) The appointee of the governing board and the appointee or appointees of the classified employees shall publicly announce the name of the person they intend to appoint, if the vacancy is their appointee.

If the governing board and the classified employees of the district are unable to agree upon a nomination by September 30, the Superintendent of Public Instruction shall make the appointment within 30 days.
(c) Where a system is already in existence and a vacancy in a position nominated by the classified employees will occur, the classified employees shall submit the name of its nominee to the governing board at least 30 days before the date on which the vacancy will occur and the governing board shall appoint that nominee to be effective on the date on which the vacancy would occur.

(d) At a board meeting to be held after 30 and within 45 days of the dates specified in subdivision (a) and paragraph (1) of subdivision (b), as the case may be, the governing board in open hearing shall provide the public and employees and employee organizations the opportunity to express their views on the qualifications of those persons recommended by the governing board for appointment.

The board at the time may make its appointment or may make a substitute appointment or recommendation without further notification or public hearing.

In the case of the nominees of the classified employees, the board shall appoint the nominee, unless the classified employees voluntarily withdraw the name of the nominee and submit the name of a new nominee. In the latter case, the board then shall appoint the new nominee.

(e) If a vacancy exists because of a failure of the classified employees to agree on a nominee, the board may make an emergency appointment as authorized in subdivision (b) of Section 45248. If there is no personnel director, the board nevertheless may make an emergency interim appointment under this subdivision.

(f) At the next regularly scheduled personnel commission meeting to be held after 30 days from adoption of the system, as specified in subdivision (a), or at the next regularly scheduled personnel commission meeting to be held after 30 days from the day the intended appointee is announced, as specified in paragraph (2) of subdivision (b), as the case may be, the appointee of the governing board and the appointee nominated by the classified employees shall, in an open hearing, provide the public and employees and employee organizations the opportunity to express their views on the qualifications of each candidate recommended for the vacancy. Each candidate shall be invited to this meeting.

The appointee of the governing board and the appointee nominated by the classified employees may make their appointment or may make a substitute appointment or recommendation without further notification or public hearing.

(g) A commissioner whose term has expired may continue to discharge the duties of the office until a successor is appointed, but for no more than 90 calendar days.
Appointees to a commission in a district which has newly adopted the system shall take office upon receipt of notification of appointment but the term of office shall run from noon of the first day of December next succeeding.

In school districts with a three-member personnel commission, the initial appointee of the governing board shall serve a three-year term, and the term of the appointee recommended by classified employees, and the third member selected by the two other members shall be for two years and one year respectively.

In school districts which have elected to establish a five-member personnel commission, one of the initial appointees of the governing board, and one of the initial appointees nominated by the classified employees shall serve three-year terms. The term of the other initial appointee of the governing board, and the other initial appointee nominated by the classified employees of the district, shall be for two years, and the term of the appointee selected by the other members of the commission shall be for one year.

Subsequent terms shall be for three years commencing at noon the first day of December.

A three-member commission may perform any act authorized or required by law when two members have been appointed.

A five-member commission may perform any act authorized or required by law when three members have been appointed.

(a) Appointment to vacancies occurring subsequent to the initial appointment shall be made by the original appointing authority either for a new full term or to fill an unexpired term.

The procedures required in Sections 45245 and 45246 shall be followed in the appointment and recommendation for appointment to fill vacancies occurring subsequent to the initial appointments.

(b) Notwithstanding subsection (a) the governing board at the request of the personnel director shall declare that an emergency exists and shall make an interim appointment to fill a vacancy or vacancies to insure the continuance of the functions of the personnel commission. An interim appointment shall terminate on the date the notification of permanent appointment is received by the appointee.

(c) An interim appointee must meet the requirements of Section 45244 and be free of the restrictions contained therein.

(d) An interim appointment in no event shall be valid for more than 60 days.